Provided on 18/03/2019 04:03 PM by CITEC Confirm

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.

CITEC Confirm hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act, 1900.

Information contained in this document is provided by CITEC Confirm, ABN 52 566 829 700, confirm.com.au, an approved NSW Information Broker.

© Office of the Registrar General 2019.

Provided by CITEC Confirm

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 20/755714B

SEARCH DATE	TIME	EDITION NO	DATE
18/3/2019	5:03 PM	4	30/10/2015

SUB FOLIO

LAND

1/2 SHARE IN LOT 20 IN DEPOSITED PLAN 755714
AT MOUNT BURRELL
LOCAL GOVERNMENT AREA TWEED
PARISH OF KUNGHUR COUNTY OF ROUS
(FORMERLY KNOWN AS PORTION 20)
TITLE DIAGRAM CROWN PLAN 6688.1759

FIRST SCHEDULE

WOLLUMBIN HORIZONS PTY LTD (T AJ629825)

SECOND SCHEDULE (3 NOTIFICATIONS)

1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
2 LAND EXCLUDES THE ROAD(S) SHOWN IN THE TITLE DIAGRAM
* 3 AM352133 CAVEAT BY MELISSA HIRSCH

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

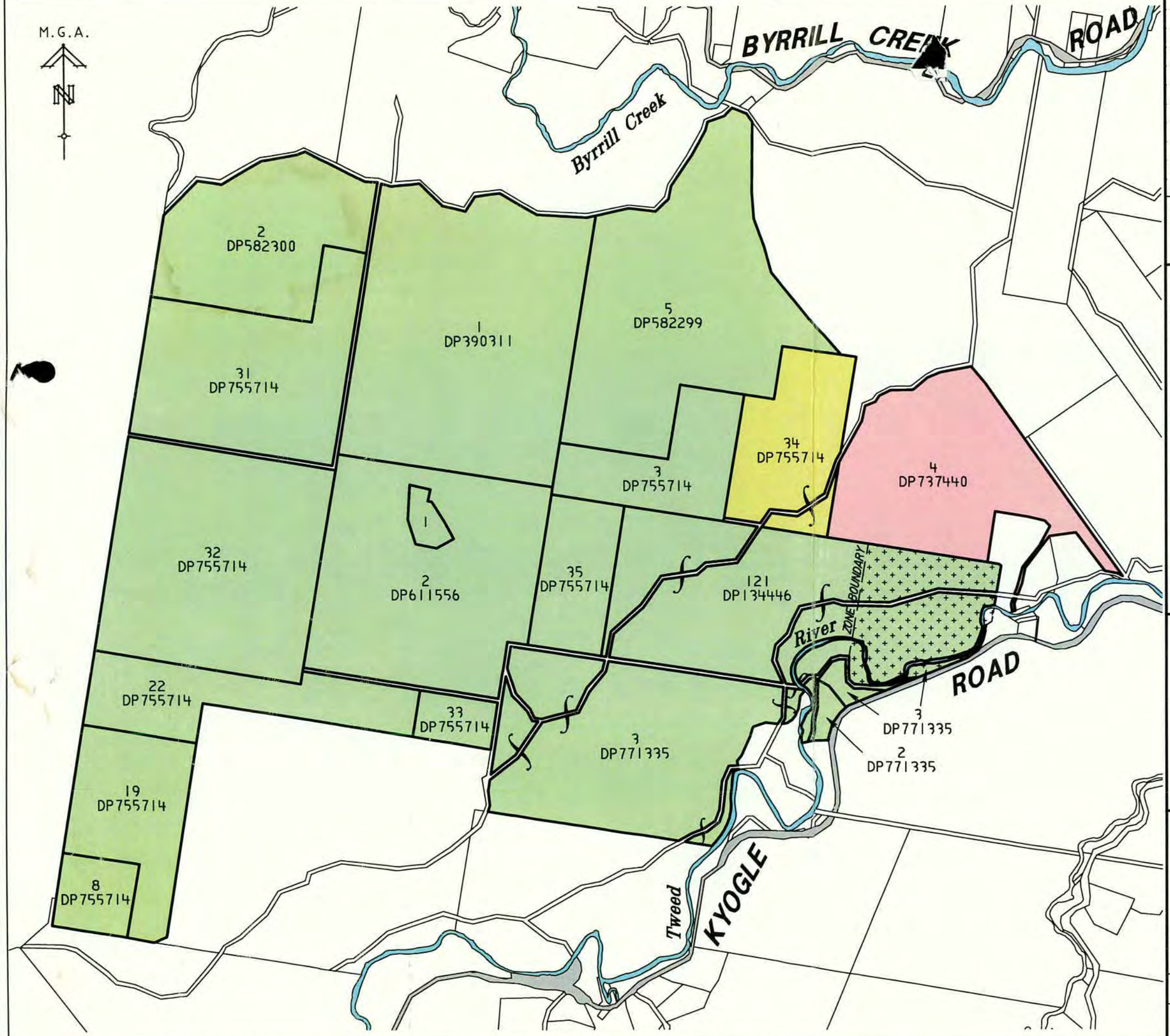
Provided on 18/03/2019 04:03 PM by CITEC Confirm

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.

CITEC Confirm hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act, 1900.

Information contained in this document is provided by CITEC Confirm, ABN 52 566 829 700, confirm.com.au, an approved NSW Information Broker.

© Office of the Registrar General 2019.



Revision	Chk

Associate Consultants

URBAN SYSTEMS & CARDNO (QLD) PTY LTD

IMPORTANT NOTES :

THE TITLE BOUNDARIES SHOWN HEREON HAVE BEEN COMPILED FROM INFORMATION SUPPLIED BY TWEED SHIRE COUNCIL AND ARE FOR DIAGRAMATIC PURPOSES ONLY.

ALL PROPERTIES SHOWN SHADED HEREON ARE ZONED 1(a) RURAL UNDER THE T.L.E.P.2000 UNLESS OTHERWISE INDICATED.

DENOTES LAND ZONED 2(d) VILLAGE UNDER THE T.L.E.P.2000.

REGISTERED PROPRIETOR – ZIMMER LAND PTY LTD

REGISTERED PROPRIETOR – KEMPCOVE PTY LTD

REGISTERED PROPRIETORS –
ANDRE STAFLEU
FLORIAN ALEXANDRE STAFLEU
INGRID COSIMA STAFLEU
PETER ANTHONY VAN LIESHOUT

PLAN SHOWING OWNERSHIP AND ZONING DETAILS

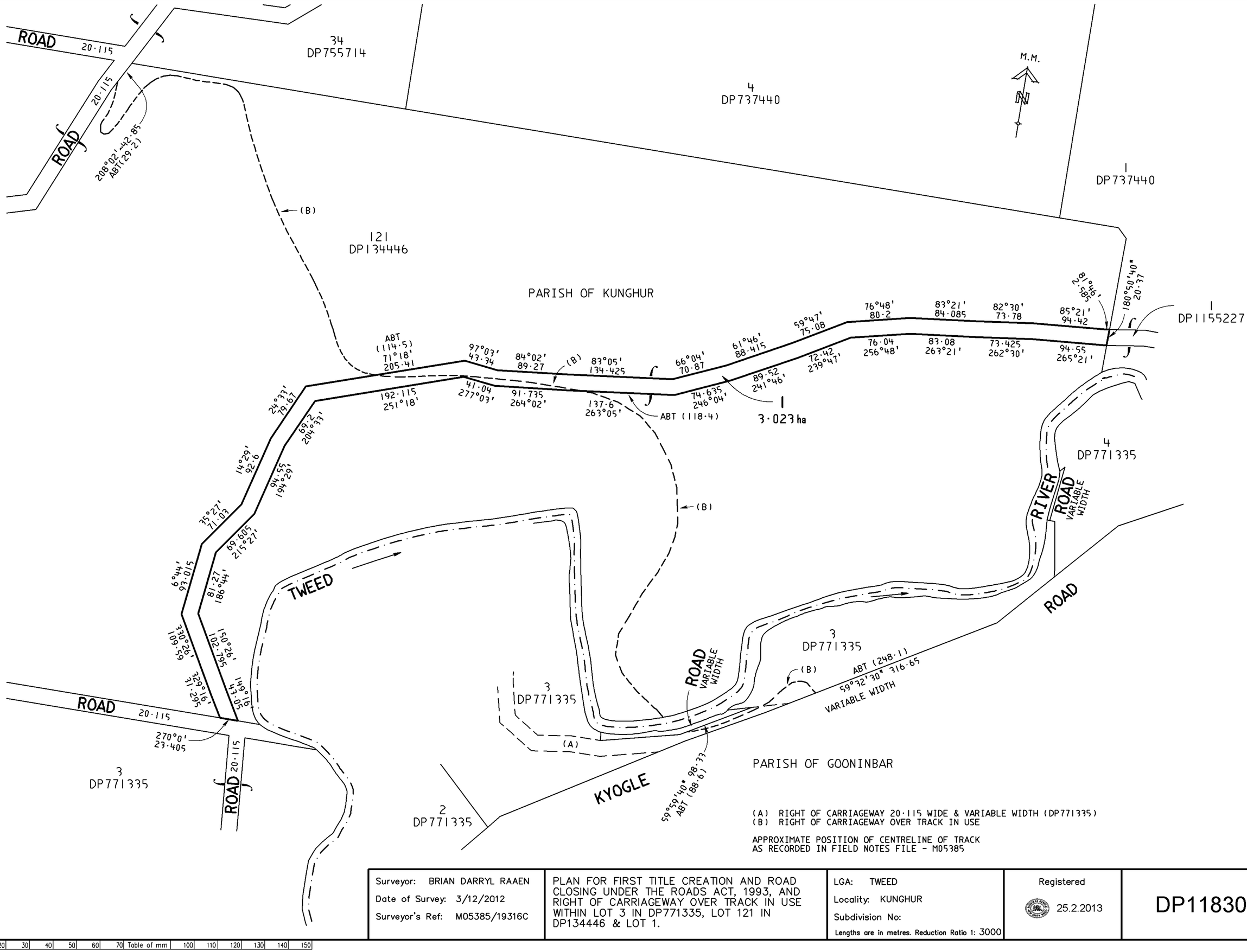
FOR PROPOSED SUBDIVISION OF LOT 121 IN DP134446

Parish of GOONINBAR/KUNGHUR County of Rous

B & P SURVEYS
CONSULTING SURVEYORS
A.C.N. 010117236
142 Muwillumbah Street
MURWILLUMBAH
NSW.,2484,Australia
Telephone: (02)66721924
Facsimile: (02)66722618
Email: mbah@bpsurveys.com.au Homepage:
www.bpsurveys.com.au
Offices Also At :
Surfers Paradise
Ph.(07)55390499
Tweed Heads
Ph.(07)55363611
A QUALITY ASSURED COMPANY

SCALE AT A3	Level DATUM		Drawn	Chk'd	F.Bk	L.Bk
1:20000	–		BDR	BDR	–	–
REF. No.	DATE	DRAWING No./Size	Sheet	Of	Rev.	
M05385	9·8·2006	15397 D	-	-	-	

Req:R211271 /Doc:DP 1183098 P /Rev:26-Feb-2013 /Sts:SC.OK /Prt:26-Feb-2013 11:04 /Pgs:ALL /Seq:1 of 3
Ref:lands:ict-eplan /For Surveyors Use Only /Src:W



(A) RIGHT OF CARRIAGEWAY 20·115 WIDE & VARIABLE WIDTH (DP771335)
(B) RIGHT OF CARRIAGEWAY OVER TRACK IN USE

APPROXIMATE POSITION OF CENTRELINE OF TRACK
AS RECORDED IN FIELD NOTES FILE - M05385

Surveyor: BRIAN DARRYL RAAEN Date of Survey: 3/12/2012 Surveyor's Ref: M05385/19316C	PLAN FOR FIRST TITLE CREATION AND ROAD CLOSING UNDER THE ROADS ACT, 1993, AND RIGHT OF CARRIAGEWAY OVER TRACK IN USE WITHIN LOT 3 IN DP771335, LOT 121 IN DP134446 & LOT 1.	LGA: TWEED Locality: KUNGHUR Subdivision No: Lengths are in metres. Reduction Ratio 1: 3000	Registered 25.2.2013	DP1183098

10 20 30 40 50 60 70 Table of mm 100 110 120 130 140 150

Req:R211271 /Doc:DP 1183098 P /Rev:26-Feb-2013 /Sts:SC.OK /Prt:26-Feb-201
Ref:Landpick Pty Ltd /Seq:1 of 4 /Pgs:ALL /Src:W
For Surveyors Use Only

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 sheet(s)

Office Use Only

Registered: 25.2.2013

Title System: CROWN LANDS AND TORRENS FIRST TITLE CREATION &

Purpose: EASEMENT

Office Use Only

DP1183098

PLAN FOR FIRST TITLE CREATION AND ROAD CLOSING UNDER THE ROADS ACT 1993, AND RIGHT OF CARRIAGEWAY OVER TRACK IN USE WITHIN LOT 3 IN DP771335, LOT 121 IN DP134446 & LOT 1.

LGA: TWEED

Locality: KUNGHUR

Parish: KUNGHUR / GOONINBAR

County: ROUS

Crown Lands NSW/Western Lands Office Approval

I, Stephen Houlahan (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.

Signature: .....

Date: 12 December 2012

File Number: 08/11623

Office: Grafton

Subdivision Certificate

I, ...

*Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the *Environmental Planning and Assessment Act 1979* have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.

Signature: .....

Accreditation number: .....

Consent Authority: .....

Date of endorsement: .....

Subdivision Certificate number: .....

File number: .....

*Strike through if inapplicable.

Survey Certificate

I, **BRIAN DARRYL RAAEN** .....

of **B & P Surveys, PO Box 46, Murwillumbah, NSW, 2484** .....

a surveyor registered under the *Surveying and Spatial Information Act 2002*, certify that:

~~*(a) The land shown in the plan was surveyed in accordance with the *Surveying and Spatial Information Regulation 2012*, is accurate and the survey was completed on .....~~

~~*(b) The part of the land shown in the plan (*being/*excluding .....) was surveyed in accordance with the *Surveying and Spatial Information Regulation 2012*, is accurate and the survey was completed on, ... the part not surveyed was compiled in accordance with that Regulation.~~

*(c) The land shown in this plan was compiled in accordance with the *Surveying and Spatial Information Regulation 2012*.

Signature: B. Raaen Dated: 3/12/12

Surveyor ID: 1881 .....

Datum Line: .....

Type: ~~*Urban~~/*Rural

The terrain is *Level-Undulating / ~~*Steep-Mountainous.~~

*Strike through if inapplicable.

^Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.

Statements of intention to dedicate public roads, public reserves and drainage reserves.

LOT 1, PUBLIC ROAD PROPOSED TO BE CLOSED

THIS PLAN IS EXEMPT FROM SUBDIVISION CERTIFICATE UNDER SECTION 23 G (b) OF THE CONVEYANCING ACT 1919.

Plans used in the preparation of ~~survey~~/compilation.

DP43809 DP134446 DP737440 DP771335
R6666-1759 R6961-1759 R9458-1603

If space is insufficient continue on PLAN FORM 6A

Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A

Surveyor's Reference: M05385/19316C

Req:R211271 /Doc:DP 1183098 P /Rev:26-Feb-2013 /Sts:SC.OK /Prt:26-Feb-201
Ref:land pick reply /Pgs:ALL /Seq:2 of 2 /For:Surveyors Use Only /Src:W

DEPOSITED PLAN ADMINISTRATION SHEET

Office Use Only

Registered: 25.2.2013

Office Use Only

DP1183098

PLAN FOR FIRST TITLE CREATION AND ROAD CLOSING UNDER THE ROADS ACT 1993, AND RIGHT OF CARRIAGEWAY OVER TRACK IN USE WITHIN LOT 3 IN DP771335, LOT 121 IN DP134446 & LOT 1.

Subdivision Certificate number: .....

Date of Endorsement: .....

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO CREATE:-

1. RIGHT OF CARRIAGEWAY OVER TRACK IN USE

Lot	Street Number	Street Name	Street Type	Locality
1	NA	NA	NA	Kunghur

ZIMMERLAND P/L
ABN 13600 724 697
PETER VAN LIESHOUT (SOLE DIRECTOR)

If space is insufficient use additional annexure sheet

Surveyor's Reference:M05385/19316C

G 224063

G224063 FP390311

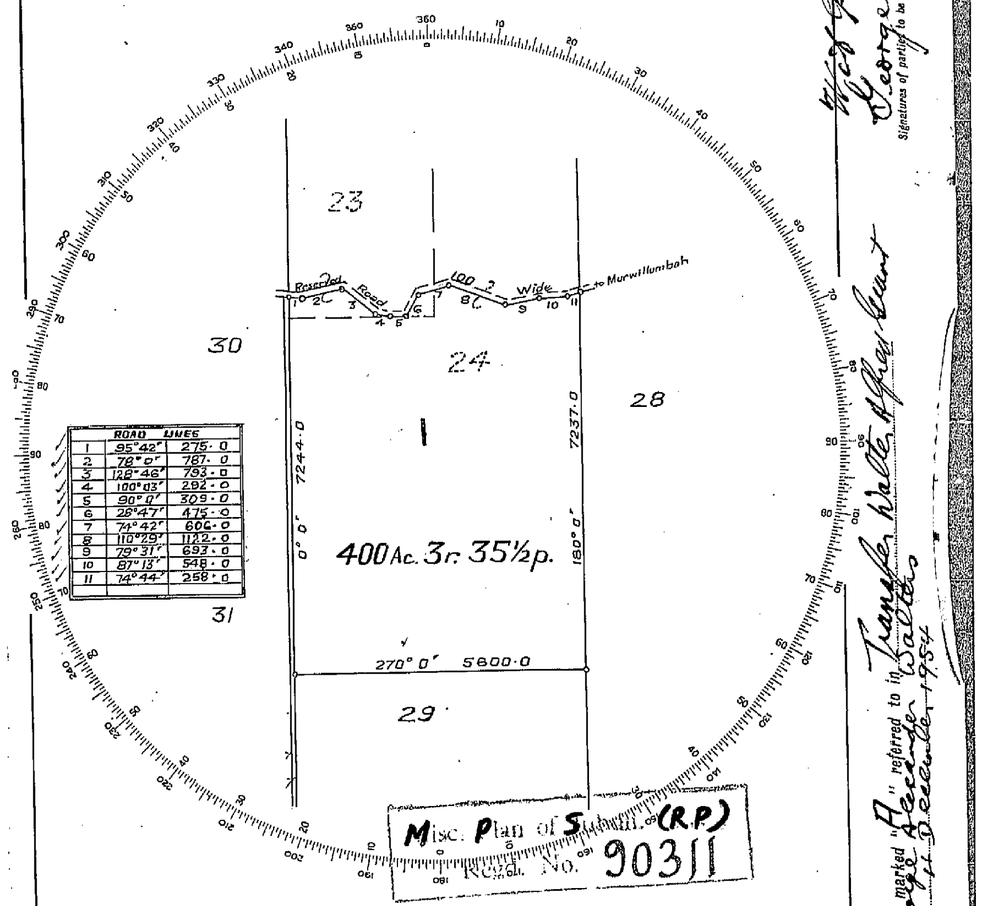
Plan Form No7(For compilations)

~~Municipality of~~
Shire of Tweed

PLAN

of parts of Portions 23 & 24, Parish of Kunghur - County of Rous

Scale : 20 Chains to an Inch.



	ROAD	LINES
1	95°42'	275·0
2	78° 0'	787·0
3	128°46'	793·0
4	100°03'	292·0
5	90° 0'	309·0
6	28°47'	475·0
7	71°42'	606·0
8	110°29'	1122·0
9	79°31'	693·0
10	87°13'	548·0
11	74°44'	258·0

Misc. Plan of Subdn. (R.P.) No. 90311

Approved by Tweed Shire Council and covered by Council Clerk's Certificate No. 153 of 1954.

SHIRE CLERK.

No Survey has been made.

I certify that this plan has been compiled from the information in Plans Catalogued R6088 (1765) & R6090 (1755) and is correct.

J. B. Saunders

Surveyor registered under Surveyors Act, 1929.

28th September, 1954. 321/54

This is the plan marked "A" referred to in Transfer Vaeanger to Walters dated 11 December 1954

Signatures of parties to be made in this margin.

Walters
Vaeanger

CONVERSION TABLE ADDED IN DEPARTMENT OF LANDS

DP 390311

LINKS	METRES
0.1	0.020
6.9	1.388
7.3	1.469
11.22	2.257
27.5	5.532
29.2	5.874
47.5	9.555
78.7	15.832
100	20.117
258	51.901
275	55.321
292	58.741
309	62.161
475	95.555
548	110.240
560	112.654
606	121.908
693	139.409
787	158.319
793	159.526
1122	225.710
5600	1126.541
7237	1455.853
7244	1457.261

AC	RD	P	HA
400	3	35 1/2	162.3

3 AUG 1976

1321/2

LOT NUMBERS ADDED IN REGISTRAR GENERAL'S OFFICE.

Table of mm

I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 4th day of April, 1979

1

Req:R407233 /Doc:DP 0390311 P /Rev:13-Nov-1992 /Sts:OK.OK /Pgs:ALL /Prt:12-Oct-2018 08:57 /Seq:1 of 1
Ref:B&P Surveys /Src:I

Plan Form 1

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

***OFFICE USE ONLY**

Council Clerk's Certificate.

I hereby certify that—

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

*(b) the requirements of section 34B of the †Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended, †Hunter District Water, Sewerage, and Drainage Act, 1938, as amended,

have been complied with by the applicant in relation to the proposed

.....

(insert "new road", "subdivision" or "consolidated lot") set out herein.

Subdivision No. .....

Date .....

(Signature) .....
Council Clerk.

*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.
†Delete if inapplicable.

Surveyor's Certificate

I, FRANCIS LOUIS BUTLER,

of MURWILLUMBAH.

a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the ~~survey represented in this~~ plan was compiled from Portions 23, 27 & 30. is accurate ~~and has been made *(1) by me (2) under my immediate supervision in accordance with the Survey Practice Regulations, 1933,~~ and was completed on †

3 · 10 · 75

F. L. Butler.

Signature .....
Surveyor registered under Surveyors Act, 1929, as amended.
~~Datum Line of Azimuth~~.
*Strike out either (1) or (2). †Insert date of survey.

PLAN OF SUBDIVISION OF PORTION 27, 30 AND PART PORTION 23

D. P. 562300. *

~~Mun.~~/Shire ~~City~~: TWEED Locality: BYRRILL CREEK

Parish: KUNGHUR County: ROUS

Reduction Ratio 1: 12,500 Lengths are in metres.

Registered: .....

C.A.: .....

Title System: .....

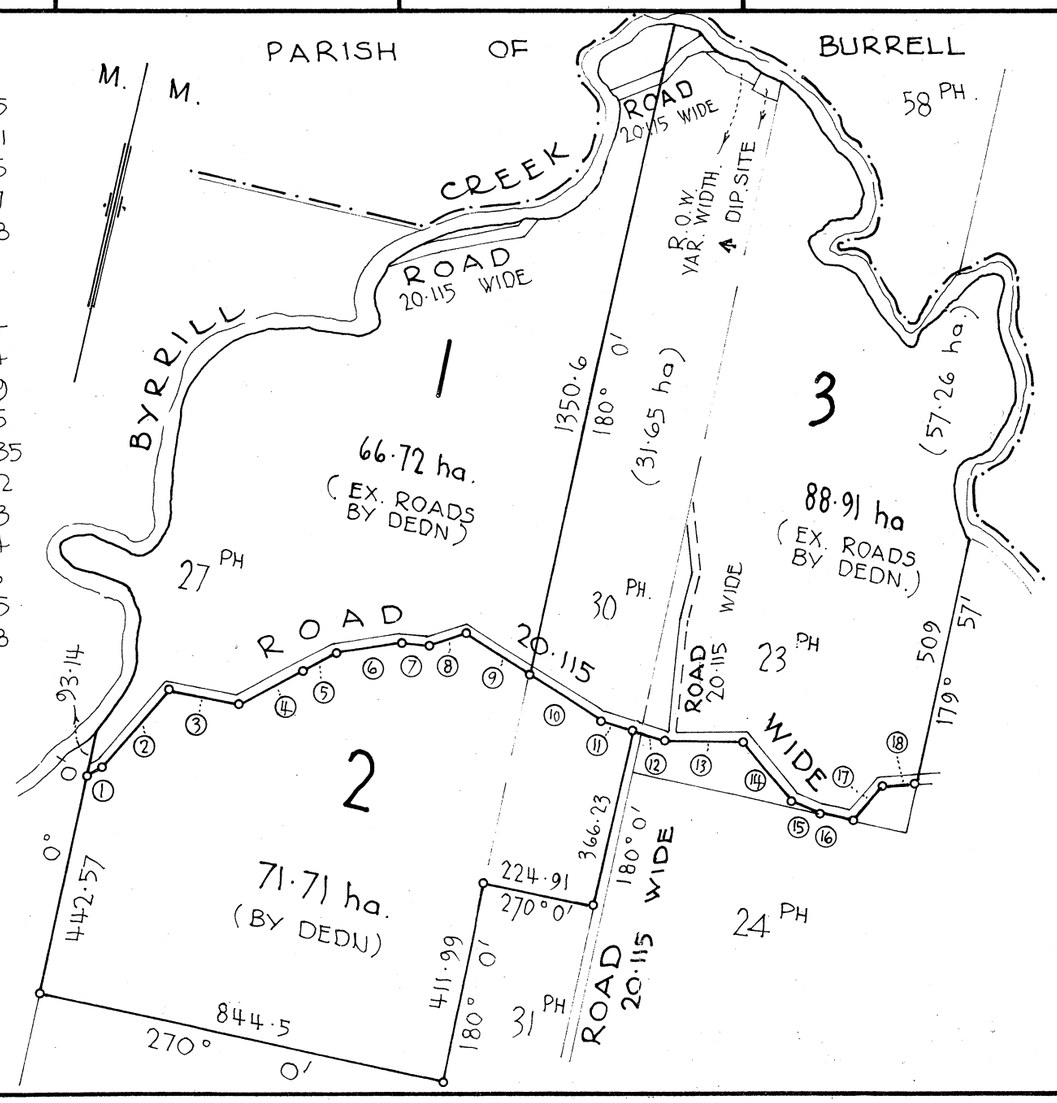
Purpose: .....

Ref. Map: .....

Last Plan: .....

Signatures, seals and statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.

①	44° 29′	29·775
②	29° 17′	209·81
③	89° 25′	146·45
④	49° 38′	149·27
⑤	48° 29′	82·68
⑥	68° 26′	139·01
⑦	83° 55′	52·71
⑧	59° 13′	75·64
⑨	109° 17′	161·54
⑩	109° 17′	173·69
⑪	95° 39′	60·95
⑫	95° 39′	75·435
⑬	77° 57′	158·32
⑭	128° 43′	159·53
⑮	100° 0′	58·74
⑯	89° 57′	62·16
⑰	28° E.	95·55
⑱	74° 39′	65·38



Plan Drawing only to appear in this space.

Plan Drawing only to appear in this space.

0 | 10 | 20 | 30 | 40 | 50 | 60 | 70 Table of mm | 100 | 110 | 120 | 130 | 140 | 150 | 160

SURVEYOR'S REFERENCE: 75/3887 1040.

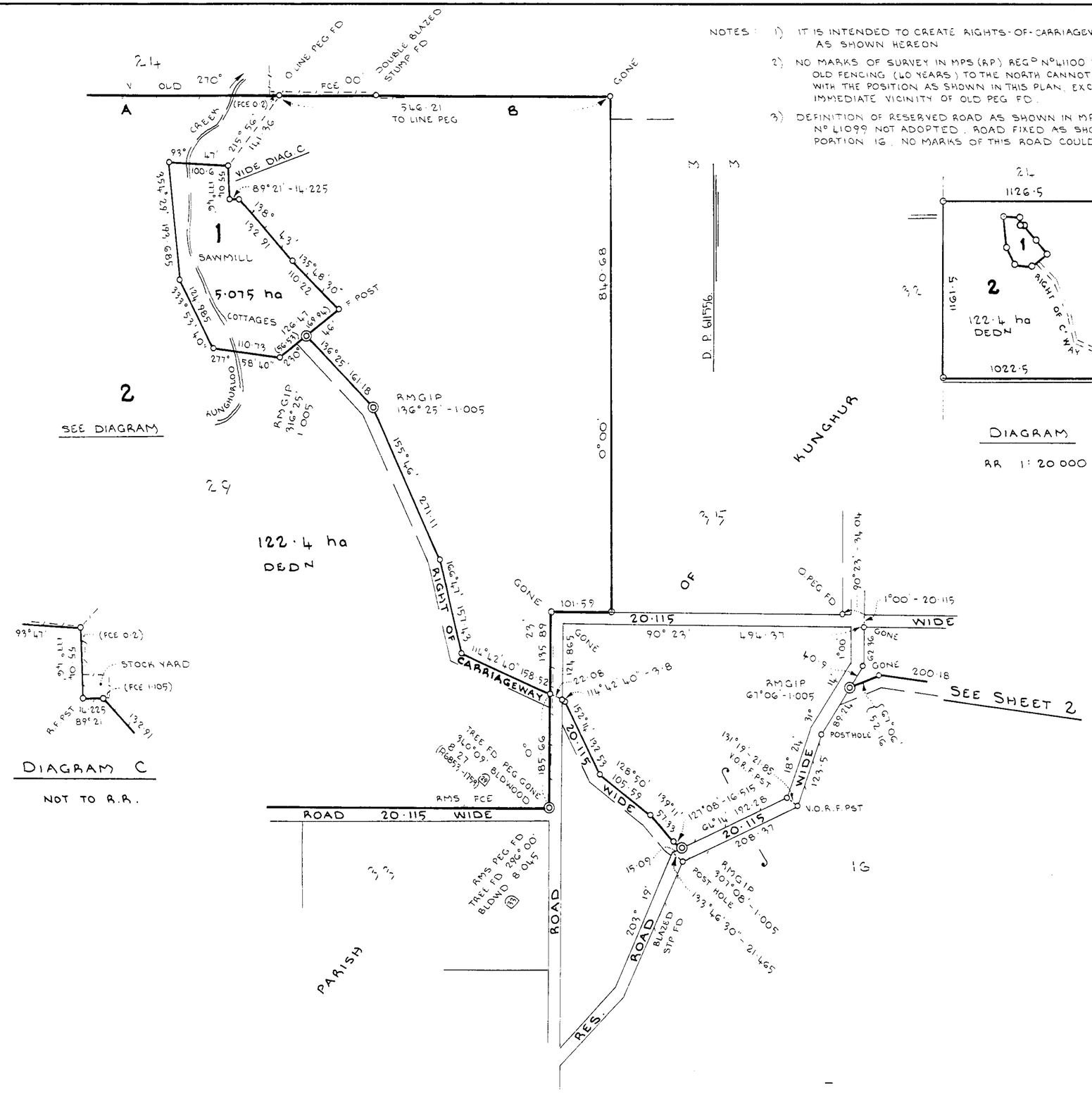
PLAN FORM 2 — Plan Drawing only to appear in this space — D611556 * OFFICE USE ONLY

Signatures and seals only

THE COMMON SEAL of LISMORE MANAGEMENT PTY. LIMITED was hereunto affixed by authority of the Board of Directors in the presence of the Director whose signature appears opposite hereto and in the presence of:

..... Director

..... Secretary



Council Clerk's Certificate

I hereby certify that: –

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

*(b) ~~the requirements of section 348 of the Macquarie Water Sewerage and Drainage Act, 1924, as amended, Hunter District Water Sewerage and Drainage Act, 1938, as amended~~

* been complied with by the applicant in relation to the proposed SUBDIVISION (set out "new road" "subdivision" or "consolidated lot") set out herein

Subdivision No. 38/80

Dated 25th March 1980

DEPUTY SHIRE CLERK 29.7.80

(Signature) .....
Council Clerk

*This part of certificate to be deleted where the application is only a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board

†Delete if inapplicable

M.P.D.

D. P. 611556

Registered: 13-11-1980

C.A.: Nº 38/80 OF 25·3·1980

Title System: TORRENS

Purpose: EASEMENT & SUBDIVISION

Ref. Map: PARISHES*

Last Plan:

PLAN OF PT PORTION 29, & RIGHT OF CARRIAGEWAY THRU PORS 29 & 16, PH KUNGHUR & POR. 1, PH GOONINBAR

Reduction Ratio 1: 5 000
Lengths are in metres.

~~Mun./Shire~~ ~~City~~ TWEED

Locality:

Parish: KUNGHUR & GOONINBAR

County: ROUS

This is sheet 1 of my plan in 3 sheets. (Delete if inapplicable)

Copy of plan of survey of 20-1-'61 by of Surv. J.G.A. Saunders

a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan was compiled from information in plan of survey by Surv. J.G.A. Saunders dated 20-1-'61 is accurate and has been made *(1) by me (2) under my immediate supervision in accordance with the Survey Practice Regulations, 1933, and was completed on †

John Robert Haggerty Club Lane Lismore DX7757

Signature J.R. Haggerty.

Surveyor registered under Surveyors Act, 1929, as amended.
Datum Line of Azimuth: A - B
*Strike out either (1) or (2). †Insert date of survey.

Panel for use only for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.

PURSUANT TO SEC 88B OF THE CONVEYANCING ACT 1919·1967 IT IS INTENDED TO CREATE:

1) RIGHT OF CARRIAGEWAY 20·115 WIDE

110 120 130 140 150 160 170 180 190 100 110 120 130 140 150 160 170 Table of mm 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

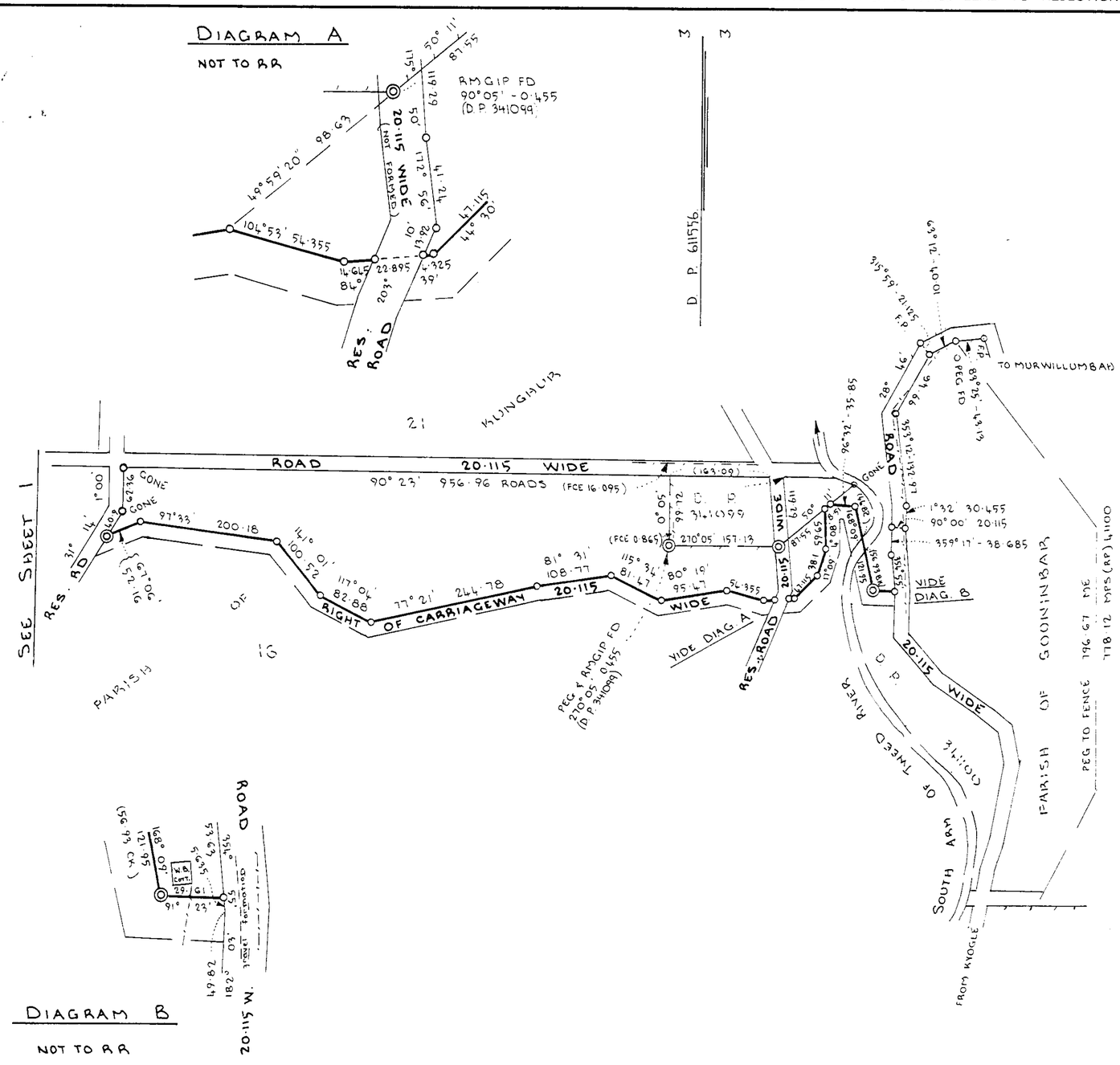
SURVEYOR'S REFERENCE 76/120 M

Y 0 2 A 2 A

D. P. 611556 1/3

Req:R407236 /Doc:DP 0611556 P /Rev:22-Jan-1996 /Sts:OK.OK /Pgs:ALL /Prt:12-Oct-2018 08:58 /Seq:1 of 3 /Src:I
Ref:B&P Surveys

PLAN FORM 3 To be used in conjunction with Plan Form 2 WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION DP611556 * OFFICE USE ONLY



D. P. 611556

Registered: 13-11-1980

This is sheet 2 of my plan in 3 sheets dated 20-1-61

J. R. Haggerty.
Surveyor registered under Surveyors Act 1929.

This is sheet 2 of the plan of 3 Sheets covered by my Certificate No. 38/80 of 25th March 1980

Council Clerk

Signatures and seals only.

THE COMMON SEAL of LISMORE MANAGEMENT PTY. LIMITED was hereunto affixed by authority of the Board of Directors in the presence of the Director whose signature appears opposite hereto and in the presence of

Director

Secretary

Reduction Ratio 1: 5 000

Lengths are in metres

Plan Drawing only to appear in this space

SURVEYOR'S REFERENCE 76/120 M

Req:R407236 /Doc:DP 0611556 P /Rev:22-Jan-1996 /Sts:OK.OK /Pgs:ALL /Prt:12-Oct-2018 08:58 /Seq:2 of 3
Ref:B&P Surveys /Src:I

Req:R407236 /Doc:DP 0611556 P /Rev:22-Jan-1996 /Sts:OK.OK /Pgs:ALL /Prt:12-Oct-2018 08:58 /Seq:3 of 3
Ref:B&P Surveys /Src:I

Shire of Tweed

of part of Portion 29, and Right-of-Way through Portions 29 & 16, Pᵗʰ Kunghur, & Portion 1, Pᵗʰ Gooninbar

Parishes of Kunghur & Gooninbar County of Rous

Scale : 8 chains to an Inch.

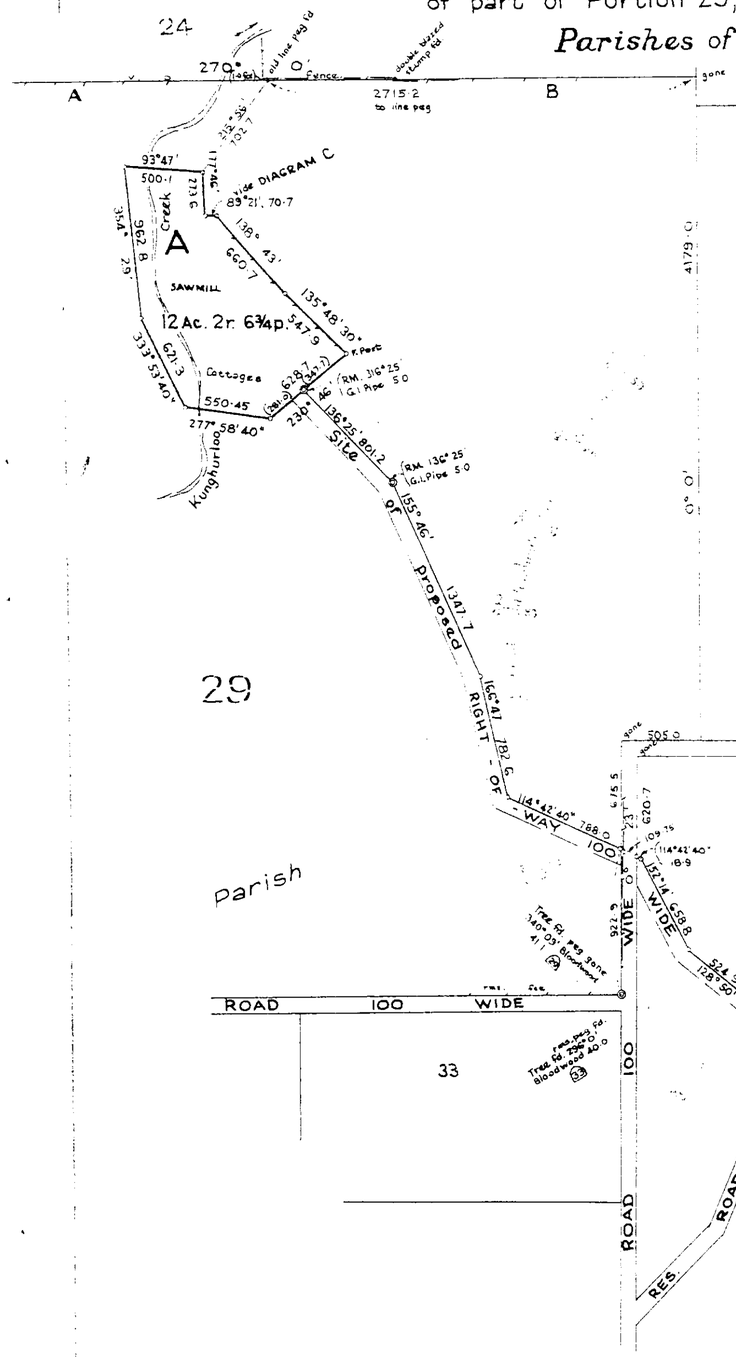


DIAGRAM C
Scale : 3ch-1in

DIAGRAM A
Scale : 2ch - 1in.

DIAGRAM B
Scale 2ch - 1in

Notes:
1. It is intended to create Rights-of-Way 100 links wide as shown hereon.
2. No marks of survey in MPS (RP) Reg^d No. 41100 were found. Old fencing (40 yrs) to the north cannot be reconciled with the position as shown in this plan, except in immediate vicinity of old Reg fd.
3. Definition of Reserved Road as shown in MPS (RP) Reg^d No 41099 not adopted. Road fixed as shown in plan of Portion 16. No marks of this road could be found.

BROWN & HAAN
SURVEYORS
P.O. BOX 151
Murwillumbah 2484

I, James Quentin Auburn Saunders
of Murwillumbah.
... in accordance with the Survey Practice Regulations ... 20th January, 1961
(Signature) J.Q.A. Saunders.
Surveyor registered under the Surveyors Act, 1929 as.

961/60

Req:R094896 /Doc:CP 06849-1759 P /Rev:25-Nov-2012 /Sts:OK.OK /Prt:22-Jul-2016 10:27 /Seq:1 of 1
Ref:B&P Surveys /Src:P

TWEED SHIRE

LAND BOARD DISTRICT
No. 09:665.0
ENCLOSURE
HEAD OFFICE GRAFTON

PLAN OF PORTION 3

County of Rous *Parish of Kunghur*

Land District of Murwillumbah *Land Board District of Grafton*

Resumed Area N° *Pastoral Holding.* *Eastern Division*

Applied for under the 47th Section of the Crown Lands Act of 1884 by Beryl Beatrice Johnson

Por 3 A N.R.C.P 09/43 of 10th June
Subdivision applied for LB13.4231
Now 93¾ acres by Subdivision Sec. 26 Act 1908

Within the boundaries of the
Tweed & Richmond
Rivers Gold Field,
Proclaimed 22nd October, 1887,
open to Conditional Purchase.

PLAN MICROFILMED
NO ADDITIONS OR AMENDMENTS TO BE MADE

15 R6661
A. Hargrave
N.R.C.P 08/58
320a ex rds
317¼ ac.
2 yrs.

28 R6854
B.B. Johnson
N.R.C.P 09/14
150a ex rd

24 R6690
W.A. Grant
C.L. 08/16
450a ex rd

3
C.L. 09.43
Iris
3380
180°
Hwy
Soil
1988

Eva Solomons
CS16.2439
93¼ acs
90° 27.5
270° 23' 25.7
360° 1360
1181
both fd

29 R6853
B Solomons
N.R.C.P 09/21
315 ac

35
high forest
5360
4000 links
Portion 1400
110acs
Cancelled by R 1400
76 ac
270° 23' 1886
360°
Slope
180° 23'
180° 00' p.o.
505
one chain wide to Murwillumbah
Road one chain wide
270° 00' p.o.

21 R6666
R.A. Holmes
N.R.C.P 08/80
318ac. 2r. 16p ex rd.
319a ex rds

16 R6665
H.T.S. Bell
N.R.C.P 08/72
318a ex rds

Por 3 Re-approved for 93¾ acres
Cal° Book A.206 fol.66.
Draftsman-in-Charge
JAN 20 1914

Timber:- Box, Gum, Bloodwood, Ironbark
Tallowwood, Stringybark
Turpentine & Softwood Brush
Water:- Permanent in ordinary seasons

Azimuth taken from Por 28
Field Book Vol. 8398 Fol.o 9

Reference to Corners

Corner	Bearing	From	Links	N° on Tree
A ✓	212°47'	Turpentine	29.7	↑ 3-28
B ✓	321°36'	Box	30.8	↑ 3-28
C ✓	278°11'	Bloodwood	44.3	↑ 3-28
D	308°15'	Box	27.5	↑ 3
E	149°53'	Box	23.1	↑ 3
F ✓	323°14'	Bloodwood	43.6	↑ 3-21-35
~~G~~	~~226°42'~~	~~Stringybk~~	~~44.6~~	~~↑ 21-3~~
~~H~~	~~176°39'~~	~~Bloodwood~~	~~29.2~~	~~↑ 3-29~~
K	31° 50	do	40.6	3 35

Value of Improvements Nil

Reference to Traverse

Line	Bearing	Distance

I hereby certify that I in person made and on the 24th Nov 1909 completed the survey represented on this plan on which are written the bearings and lengths of the lines measured by me and I declare that the survey has been executed in accordance with the regulations published for the guidance of licensed Surveyors and the practice of the Department of Lands.

Edwin N Johnson Licensed Surveyor

Transmitted to the District Surveyor with my letter of 16th Decb'09 N° 09/83

Voucher N° 09/81 Passed £9.16.3 Dft
Calculation Book N° A202 Folio 18 Checked
Checked and Charted 8th Feb 1910 Geo Allen
Examined and Plan approved 21st February 1910
J James Acting

J Biden 23 March 1910
A°
24th March 1910

Scale 20 Chains to an Inch.

R6849 1759

D b 285Sdd
Req:R407238 /Doc:DP 0582299 P /Rev:15-Sep-1992 /Sts:OK.OK /Pgs:ALL /Prt:12-Oct-2018 08:58 /Seq:1 of 1
Ref:B&P Surveys /Src:I

Plan Form 2 — Plan Drawing only to appear in this space. — *OFFICE USE ONLY

SIGNATURES AND SEALS ONLY

ALBION BLUFF PASTORAL PROPERTIES PTY. LTD. — THE COMMON SEAL OF — DIRECTOR — SECRETARY

In the presence of:

A Justice of the Peace for the State of Queensland

KUNGHURLOO PASTORAL CO. PTY. LIMITED — THE Common Seal OF — DIRECTOR — SECRETARY

LISMORE MANAGEMENT PTY. LIMITED — Common Seal — DIRECTOR — SECRETARY

Signed at Sydney the 5TH day of FEBRUARY 1976 for Commonwealth Development Bank of Australia by its duly appointed Attorney under Powers of Attorney No. 85605 (Miscellaneous Register) and No. 11072 (Land Titles Office) who declares that he has not received notice of revocation of the power

Witness — Assistant Manager SYDNEY

Council Clerk's Certificate.

I hereby certify that—

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

*(b) the requirements of section 34B of the †Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended, †Hunter District Water, Sewerage, and Drainage Act, 1938, as amended,

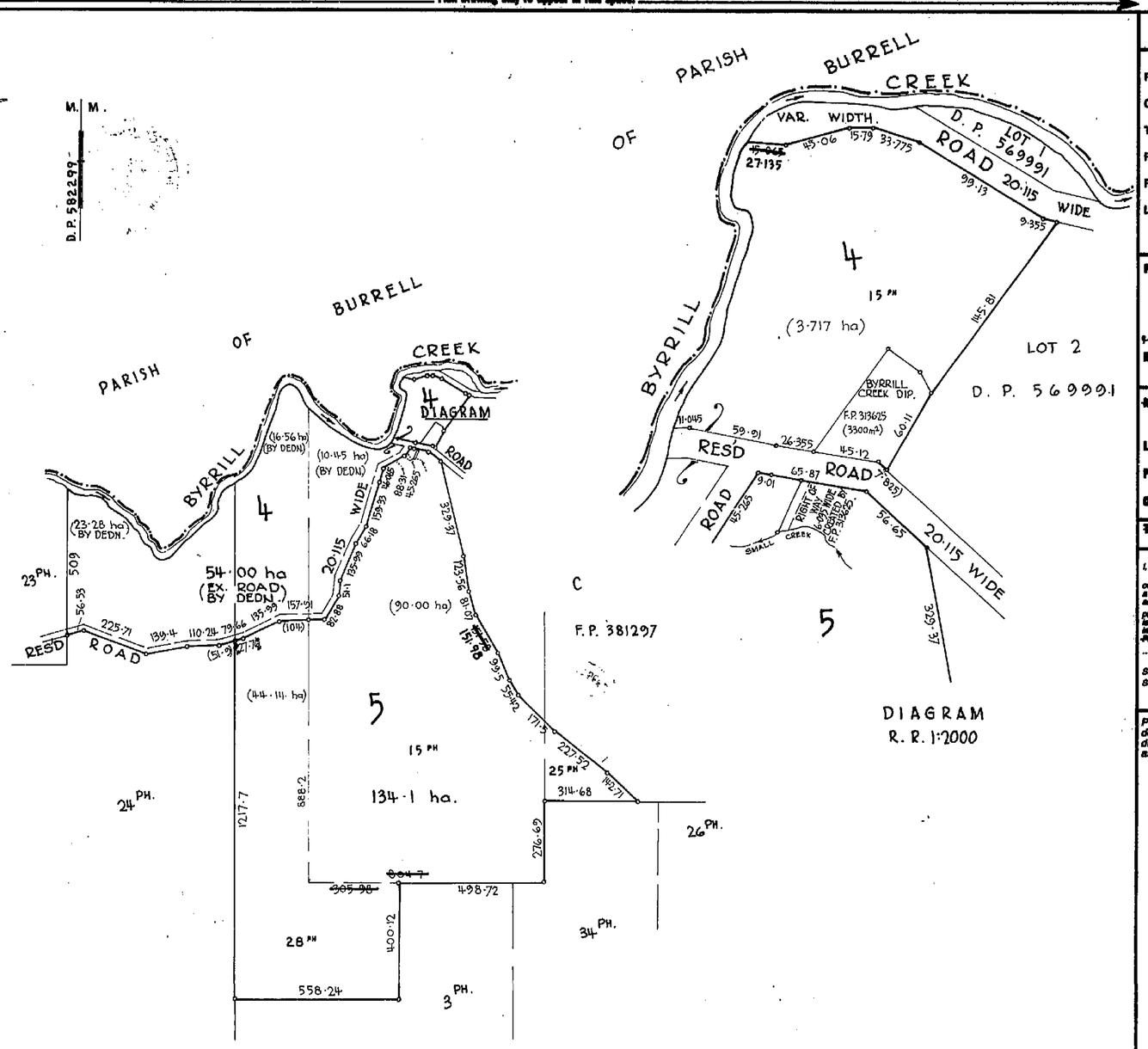
have been complied with by the applicant in relation to the proposed Subdivision (insert "new road", "subdivision" or "consolidated lot") set out herein.

Subdivision No. 123/75

Date 15.11.75

(Signature) ..... Council Clerk.

*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board. †Delete if inapplicable.



D. P. 582299 *

Registered: 10.3.1976

D.A.: No 123/75 OF 18.11.1975

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: PARISH*

Last Plan: D. P. 397023, D.P.381298

PLAN OF SUBDIVISION OF PORTION 28, PART OF PORTION 24, LOT D IN (F. 757223) D.P.381298 & F.P. 397023

Reduction Ratio 1: 10,000

Lengths are in metres.

Mun./Shire City: TWEED

Locality: BYRRILL CREEK

Parish: KUNGHUR

County: ROUS

This is sheet 1 of my plan in ..... sheets. (Delete if inapplicable.)

I, FRANCIS LOUIS BUTLER, of MURWILLUMBAH, a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan was compiled from † is accurate and has been made † by me (it) under my immediate supervision in accordance with the Survey Practice Regulations, 1933, and was completed on † 4.11.75

Signature ..... Surveyor registered under Surveyors Act, 1929, as amended.

*Strike out either (1) or (2). †Insert date of survey.

Panel for use only for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.

† PORTIONS 24, 28, 15, F.P. 397023 AND F. 757223.

D. P. 582299

N002AIB

M.P.D.

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SURVEYOR'S REFERENCE: 75/3887 A.104

I, Jack Hayward Watson, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 11th day of March, 1976.

Jack Watson

Req:R093382 /Doc:CP 03979-1759 P /Rev:26-Nov-2012 /Sts:OK.OK /Prt:22-Jul-2016 06:58 /Seq:1 of 1
Ref:B&P Surveys /Src:P

LAND BOARD DISTRICT HEAD OFFICE SURVEYOR 2599 9 JUN 87

Eastern Division
Resumed Area No.
Pastoral Holding

PLAN OF PORTION 8

County of Rous Parish of Kunghur

LAND DISTRICT OF MURWILLUMBAH LAND BOARD DISTRICT OF CRAFTON

Applied for under the 26th Section of the Crown Lands Act of 1884 by
James Neill

Por No 8 C.P. No 86/84 ~~Por No~~ ~~C.L. No 8~~

December 2nd Confirmed 26th July 87 vide 87-3809 LBB
~~Forfeited~~ vide Gaz. 13th Febry 1889

IN THE EVENT OF THIS CONDITIONAL PURCHASE BECOMING EITHER LAPSED OR FORFEITED, THE AREA SHOULD BE INCLUDED IN THE TWEED AND RICHMOND RIVERS GOLD FIELD, PROCLAIMED 22ND OCTOBER, 1887.
Proclaimed Extn 16th March 1889

boundaries of the
Within the Tweed and Richmond Rivers Gold Field Proclaimed 22nd October 1887. Open to Conditional Purchase.

Within R.32385 from annual lease Notified 2nd March 1901 Revoked 24th June 1902
① Por 8 Pr CP 08-70 of 17th Sept by John Smith (for 275 ac) See also R.3980 & 6959-1759
Now The Commercial Bank of Australia Limited Sale completed Sales 36.16373

Azimuth OK

PLAN MICROFILMED
NO ADDITIONS OR AMENDMENTS TO BE MADE

Resumed as Extn to Gold Field vide LBD 88-5676 & 16/1/89

Reference to Traverse

Line	Bearing	Distance
1	207° 03'	643
2	270° 29'	632
3	239° 49'	447
4	213° 48'	559
5	269° 39'	881
6	312° 35'	521
7	261° 19'	397

Mr Surveyor Somerville informed of alteration of Direct Bearing & Distance.

Azimuth taken from Needle float at dd
Field Book Vol. 6 Folio 21. 22. 26. 27. 28.

Reference to Corners

Corner	Bearing	From	Links	No on Tree
a	180° 00'	Gum	93	8.19
b	158° 35'	Brush	36	8.19
c	258° 06'	Box	20	8.19
d	314° 50'	Box	4	8

Reference to Traverse

Line	Bearing	Distance
8	227° 26'	626
9	268° 42'	277
10	241° 00'	750
11	267° 35'	837
12	239° 59'	548
13	261° 09'	817
14	294° 51'	165
15	278° 02'	915
16	237° 09'	208
17	255° 38'	839
18	211° 34'	127
19	194° 21'	321

I hereby certify that I in person made and on the 16th May 1887 completed the survey represented on this plan on which are written the bearings & the lengths of the lines measured by me and I declare that the Survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Surveyor General's Department.

Rich.d R. Somerville Licensed Surveyor.

Transmitted to the District Surveyor with my letter of 31st May No 87/15

Voucher No. Passed
Calculation Book No. 366 Folio 62 JRR.
Checked and Charted J. B. Nowell 22nd June 1887
Examined J. Ward 23 June 87
Plan approved 24th June 188?

W. H. Maddern
District Surveyor.

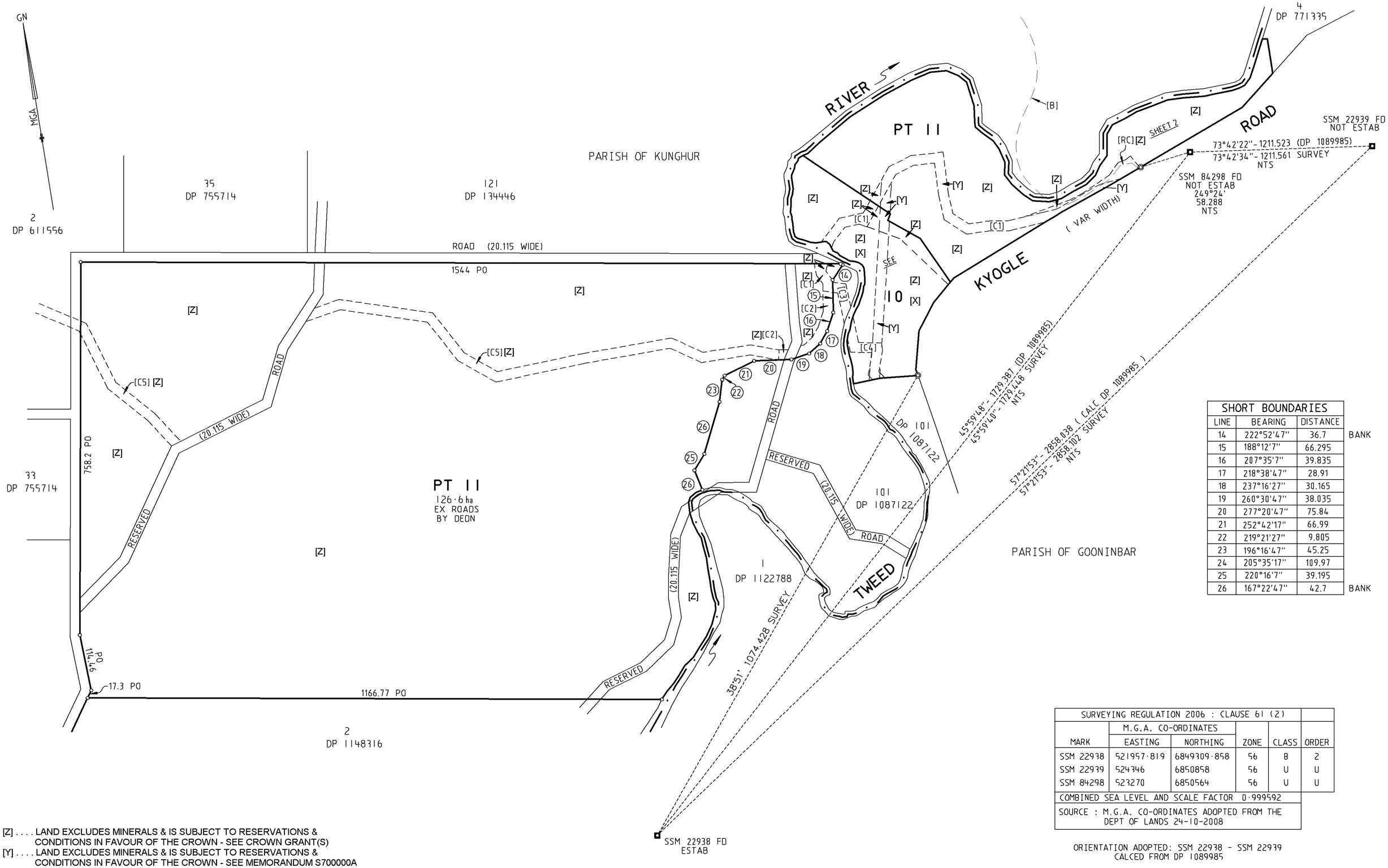
Situated in the Tyalgum (?) Run
Value of Improvements Nil

3979-1759

Scale 20 Chains to an Inch.

R3979-1759

Req:R093392 /Doc:DP 1194471 P /Rev:04-Aug-2014 /Sts:SC.OK /Pgs:ALL /Prt:22-Jul-2016 06:58 /Seq:1 of 4
Ref:B&P Surveys /Src:P



SHORT BOUNDARIES			
LINE	BEARING	DISTANCE	
14	222°52'47"	36.7	BANK
15	188°12'7"	66.295	
16	207°35'7"	39.835	
17	218°38'47"	28.91	
18	237°16'27"	30.165	
19	260°30'47"	38.035	
20	277°20'47"	75.84	
21	252°42'17"	66.99	
22	219°21'27"	9.805	
23	196°16'47"	45.25	
24	205°35'17"	109.97	
25	220°16'7"	39.195	
26	167°22'47"	42.7	BANK

SURVEYING REGULATION 2006 : CLAUSE 61 (2)					
	M.G.A. CO-ORDINATES				
MARK	EASTING	NORTHING	ZONE	CLASS	ORDER
SSM 22938	521957·819	6849309·858	56	B	2
SSM 22939	524346	6850858	56	U	U
SSM 84298	523270	6850564	56	U	U
COMBINED SEA LEVEL AND SCALE FACTOR 0·999592					
SOURCE : M.G.A. CO-ORDINATES ADOPTED FROM THE DEPT OF LANDS 24-10-2008					

ORIENTATION ADOPTED: SSM 22938 - SSM 22939
CALCED FROM DP 1089985

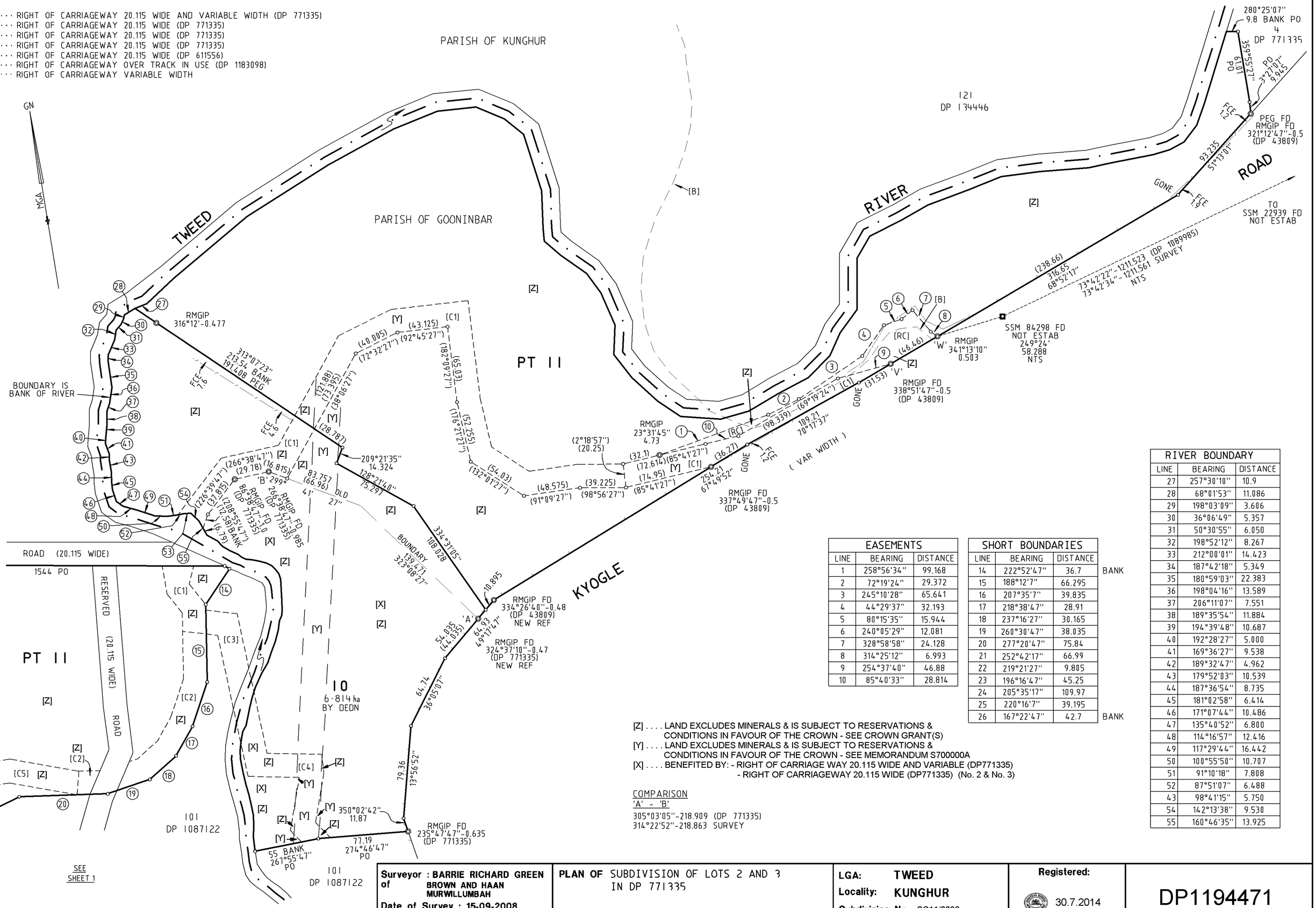
[Z] . . . . LAND EXCLUDES MINERALS & IS SUBJECT TO RESERVATIONS & CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
[Y] . . . . LAND EXCLUDES MINERALS & IS SUBJECT TO RESERVATIONS & CONDITIONS IN FAVOUR OF THE CROWN - SEE MEMORANDUM S700000A
[X] . . . . BENEFITED BY: - RIGHT OF CARRIAGE WAY 20.115 WIDE AND VARIABLE (DP771335)
- RIGHT OF CARRIAGEWAY 20.115 WIDE (DP771335) (No. 2 & No. 3)

[C1] · · · RIGHT OF CARRIAGEWAY 20.115 WIDE AND VARIABLE WIDTH (DP 771335)
[C2] · · · RIGHT OF CARRIAGEWAY 20.115 WIDE (DP 771335) (No. 2)
[C3] · · · RIGHT OF CARRIAGEWAY 20.115 WIDE (DP 771335) (No. 3)
[C4] · · · RIGHT OF CARRIAGEWAY 20.115 WIDE (DP 771335) (No. 4)
[C5] · · · RIGHT OF CARRIAGEWAY 20.115 WIDE (DP 611556)
[B] · · · RIGHT OF CARRIAGEWAY OVER TRACK IN USE (DP 1183098)
[RC] · · · RIGHT OF CARRIAGEWAY VARIABLE WIDTH

Surveyor : BARRIE RICHARD GREEN of BROWN AND HAAN MURWILLUMBAH Date of Survey : 15-09-2008 Surveyor's Ref : 20697-DP '2006M7100 (1118) PARTIAL SURVEY'	PLAN OF SUBDIVISION OF LOTS 2 AND 3 IN DP 771335	LGA: TWEED Locality: KUNGHUR Subdivision No: SC11/0028 Lengths are in metres. Reduction Ratio 1 : 5000	Registered: 30.7.2014	DP1194471

10 20 30 40 50 Table of mm 90 100 110 120 130 140

[C1] ··· RIGHT OF CARRIAGEWAY 20.115 WIDE AND VARIABLE WIDTH (DP 771335)
[C2] ··· RIGHT OF CARRIAGEWAY 20.115 WIDE (DP 771335)
[C3] ··· RIGHT OF CARRIAGEWAY 20.115 WIDE (DP 771335)
[C4] ··· RIGHT OF CARRIAGEWAY 20.115 WIDE (DP 771335)
[C5] ··· RIGHT OF CARRIAGEWAY 20.115 WIDE (DP 611556)
[B] ··· RIGHT OF CARRIAGEWAY OVER TRACK IN USE (DP 1183098)
[RC] ··· RIGHT OF CARRIAGEWAY VARIABLE WIDTH



EASEMENTS		
LINE	BEARING	DISTANCE
1	258°56'34"	99.168
2	72°19'24"	29.372
3	245°10'28"	65.641
4	44°29'37"	32.193
5	80°15'35"	15.944
6	240°05'29"	12.081
7	328°58'58"	24.128
8	314°25'12"	6.993
9	254°37'40"	46.88
10	85°40'33"	28.814

SHORT BOUNDARIES			
LINE	BEARING	DISTANCE	
14	222°52'47"	36.7	BANK
15	188°12'7"	66.295	
16	207°35'7"	39.835	
17	218°38'47"	28.91	
18	237°16'27"	30.165	
19	260°30'47"	38.035	
20	277°20'47"	75.84	
21	252°42'17"	66.99	
22	219°21'27"	9.805	
23	196°16'47"	45.25	
24	205°35'17"	109.97	
25	220°16'7"	39.195	
26	167°22'47"	42.7	BANK

RIVER BOUNDARY		
LINE	BEARING	DISTANCE
27	257°30'10"	10.9
28	68°01'53"	11.086
29	198°03'09"	3.606
30	36°06'49"	5.357
31	50°30'55"	6.050
32	198°52'12"	8.267
33	212°00'01"	14.423
34	187°42'18"	5.349
35	180°59'03"	22.383
36	198°04'16"	13.589
37	206°11'07"	7.551
38	189°35'54"	11.884
39	194°39'48"	10.687
40	192°28'27"	5.000
41	169°36'27"	9.538
42	189°32'47"	4.962
43	179°52'03"	10.539
44	187°36'54"	8.735
45	181°02'58"	6.414
46	171°07'44"	10.486
47	135°40'52"	6.800
48	114°16'57"	12.416
49	117°29'44"	16.442
50	100°55'50"	10.707
51	91°10'18"	7.808
52	87°51'07"	6.488
43	98°41'15"	5.750
54	142°13'38"	9.530
55	160°46'35"	13.925

[Z] .... LAND EXCLUDES MINERALS & IS SUBJECT TO RESERVATIONS & CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
[Y] .... LAND EXCLUDES MINERALS & IS SUBJECT TO RESERVATIONS & CONDITIONS IN FAVOUR OF THE CROWN - SEE MEMORANDUM S700000A
[X] .... BENEFITED BY: - RIGHT OF CARRIAGE WAY 20.115 WIDE AND VARIABLE (DP771335)
- RIGHT OF CARRIAGEWAY 20.115 WIDE (DP771335) (No. 2 & No. 3)

COMPARISON
'A' - 'B'
305°03'05"-218.909 (DP 771335)
314°22'52"-218.863 SURVEY

Surveyor : BARRIE RICHARD GREEN of BROWN AND HAAN MURWILLUMBAH
Date of Survey : 15-09-2008
Surveyor's Ref : 20697-DP
'2006M7100 (1118) PARTIAL SURVEY'

PLAN OF SUBDIVISION OF LOTS 2 AND 3 IN DP 771335

LGA: TWEED
Locality: KUNGHUR
Subdivision No: SC11/0028
Lengths are in metres. Reduction Ratio 1 : 2000

Registered: 30.7.2014

DP1194471

10 20 30 40 50 Table of mm 90 100 110 120 130 140

Req:R093392 /Doc:DP 1194471 P /Rev:04-Aug-2014 /Sts:SC.OK /Pgs:ALL /Prt:22-Jul-2016 06:58 /Seq:2 of 4
Ref:B&P Surveys /Src:P

Req:R093392 /Doc:DP 1194471 P /Rev:04-Aug-2014 /Sts:SC.OK /Pgs:ALL /Prt:22-Jul-2016 06:58 /Seq:3 of 4
Ref:B&P Surveys /Src:P

PLAN FORM 6 **WARNING: Creasing or folding will lead to rejection** ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 sheet(s)

Office Use Only

DP1194471

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads, public reserves and drainage reserves or create easements, restrictions on the use of land and positive covenants

Pursuant to Sec 88B Conveyancing Act 1919 (as amended) it is intended to create:

1. **Right of Carriageway variable width**
2. **Restriction on use of land**
3. **Positive Covenant**

The land in this plan is located outside of the NSW Coastal Zone. The Minister administering the Crown Lands Act 1989, in accordance with Part 2 Division 5 of the Surveying Regulation 2012, approves the determination of the measured bank of the stream as shown hereon. Departmental file 14/03306 on 08/05/2014

.....
for Minister administering the Crown Lands Act 1989

Office Use Only

Registered: 30.7.2014

Title System: TORRENS

Purpose: SUBDIVISION

PLAN OF SUBDIVISION OF LOTS 2 AND 3 IN DP 771335

LGA: TWEED

Locality: KUNGHUR

Parish: GOONINBAR & KUNGHUR

County: ROUS

If space is insufficient use PLAN FORM 6A annexure sheet

Crown Lands NSW/Western Lands Office Approval

I.....in approving this plan certify
(Authorised Officer)
that all necessary approvals in regard to the allocation of the land shown herein have been given

Signature: .....

Date: .....

File Number: .....

Office: .....

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

the proposed Subdivision set out herein
(insert 'subdivision' or 'new road')

.....
* Authorised Person/~~General Manager/*Accredited Certifier~~

Consent Authority: TWEED SHIRE COUNCIL
Date of Endorsement: 12.2.14
Accreditation no: .....
Subdivision Certificate no: SC11/0028
File no: DA05/1081

* Strike through inapplicable parts.

Survey Certificate

I, Barrie Richard Green

of Brown & Haan PO Box 161 Murwillumbah, NSW 2484

a surveyor registered under the Surveying and Spatial Information Act 2002, certify that the survey represented in this plan is accurate, has been made in accordance with the Surveying and Spatial Information Regulation 2006 and was completed on: 15.09.2008

The survey relates to : PART LOTS 10 & 11 AND ASSOCIATED CONNECTIONS (specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature .....Dated: 8.6.2011
Surveyor registered under the Surveying and Spatial Information Act 2002

Datum Line: SSM 22938 – SSM22939

Type: Rural

Plans used in the preparation of survey/compilation

DP 771335 DP1089985 DP 1087122

DP 1122788 DP 43809

If space is insufficient use PLAN FORM 6A annexure sheet

Surveyor's Reference: 20697 - DP

PLAN FORM 6A **WARNING: Creasing or folding will lead to rejection** ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheet(s)

PLAN OF SUBDIVISION OF LOTS 2 & 3 IN DP 771335

Office Use Only

DP1194471

Office Use Only

Registered: 30.7.2014

Subdivision Certificate No.: SC11/0028 Date of Endorsement: 12·2·14

WITNESS:
B Burke
BRONWYN BURKE
69 PARK BEACH RD
COFFS HARBOUR NSW

.....
Mortgagee of Land

BANANACOAST COMMUNITY CREDIT UNION LTD ABN 50 087 649 750 by its attorney DAVID CHARLES LANG (here put in the full name of attorney) pursuant to power of attorney registered Book 4630 No. 517 and I declare that I have no notice of the revocation of the said power of attorney

.....
Signature

RUTH-ANN SMITH
Atf SMITH FAMILY TRUST

Peter Van Lieshout
SOLE DIRECTOR/Secretary
ZIMMERLAND P/L
A.C.N. 111708760

Surveyor's Reference: 20697 - DP

Req:R094774 /Doc:CP 03980-1759 P /Rev:26-Nov-2012 /Sts:OK.OK /Prt:22-Jul-2016 10:15 /Seq:1 of 1
Ref:B&P Surveys /Src:P

L. D. MURWILLUMBAH.

PLAN ~~OF CONDITIONAL LEASE~~ N°19

Portion

County of Rous Parish of Kunghur

Applied for under the 48th section of the Crown Lands Act of 1884 by

James Neill

LAND BOARD DISTRICT 2600 9 JUN 8 HEAD OFFICE GRAFTON

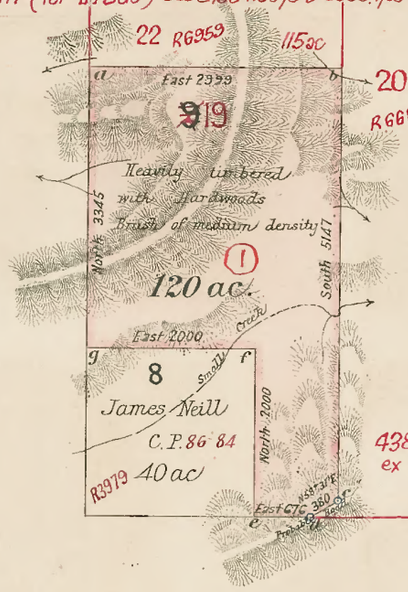
C.L.86-4 of 2nd December Confirmed 26th July '87 vide 87/3810 LBD
Gazetted as C.L.6736 18th Novr 1887 Rent 6 pence
forfeited being in virtue of CP 86-84 for 8) forfeited Gaz 13 Feb 1889.

IN THE EVENT OF THIS CONDITIONAL PURCHASE BECOMING EITHER LAPSED OR FORFEITED, THE AREA SHOULD BE INCLUDED IN THE TWEED AND RICHMOND RIVERS GOLD FIELD PROCLAIMED 22ND OCTOBER, 1887.

Within the Tweed and Richmond Rivers Gold Field Proclaimed 22nd October, 1887. Open to Conditional Purchase.

Recommd for forfeiture 88 inviting offer of por 8 LBD 88/5676 EP 16/11/88

(1) Por 19 Extension to the Tweed and Richmond Rivers Gold Field Proclaimed 16th March 1889
Within R. 32385 from annual lease Notified 2nd March 1901 Revoked 24th June '05
Por 19 Pr CP 08-70 of 17th Septr by John Smith (for 275ac) See also R3979 & 6959. 1159 Now The Commercial Bank of Australia Limited
Sale completed Sales 36-16373
Azimuth OK



Recomd as Extn to Gold Fd LBD 88-5676 EP 16-11-88

N°s altered to 19 & 8 Mr Surveyor Somerville informed

Plan approved
[illegible] Malden Act
Lt Governor

Examined & charted 22nd June 1887
Fred. B. Nowell

Scanning 23/6/16

PLAN MICROFILMED
NO ADDITIONS OR AMENDMENTS TO BE MADE

Azimuth taken from e f g
Field Book Vol 6 Folio 21.25

Reference to Corners

Corner	Bearing	From	Links	N° on Tree
a	5° 14'	Box	15	19
b	86° 30'	Gum	80	19
c	61° 10'	Bloodwd	27	19
d	14° 10'	Bloodwd	33	19
e	258° 06'	Box	20	8-19
f	158° 35'	Brush	36	8-19
g	180° 00'	Gum	93	8-19

Reference to Traverse

Line	Bearing	Distance

I hereby certify that I in person made and on the 13th May 87 completed the survey represented on this plan, on which are written the bearings and lengths of the lines measured by me, and I declare that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors, and the practice of the Surveyor Generals Department.

Value of Improvements Nil
Situated in the Tyalgum(?) Run

3980 ~ 1759

Richd. H. Somerville
Licensed Surveyor

Scale 20 Chains to an Inch Transmitted to the Surveyor ~~General~~ District with my letter of the 31st May N° 87/16

R3980 1159

Book 966 folio 61 - 7 MM 16/6/17

Req:R093388 /Doc:CP 06959-1759 P /Rev:25-Nov-2012 /Sts:OK.OK /Prt:22-Jul-2016 06:58 /Seq:1 of 1
Ref:B&P Surveys /Src:P

TWEED SHIRE

LAND BOARD DISTRICT
HEAD OFFICE GRAFTON
Papers
No. 10/4221
ENCLOSURE

PLAN OF PORTION 22

County of Rous *Parish of Kunghur*

Land District Murwillumbah Land Board District Grafton Eastern Division

RESUMED AREA No. PASTORAL HOLDING

Applied for under the 26th Section of the Crown Lands Act of 1884 by John Smith

(1) *Por 22 Pt CP 08 70 of 17th Septr for 275ac See 9/sa K 3980 & 3979 1759*
Now The Commercial Bank of Australia Limited Sale completed Sales 36 16373

Azimuth O.K.

Within the boundaries of the Tweed & Richmond Rivers Gold Field, Proclaimed 22nd October, 1887, open to Conditional Purchase.

PLAN MICROFILMED
NO ADDITIONS OR AMENDMENTS TO BE MADE

F R 33199

32 R6848
B Buchanan
NRCP 09-16
310ac
Felled

29 R6853
B Solomons
NRCP 09 21
315 ac

Notified

7th Septr '01

19 P3880
John Smith
Pt CP 08·70
120ac

20 R6688
H A Grant
CL 08·13
438ac ex rds

22
3045
5426
5470
2997
2933 p or
1196
1911
1021
5083
2039
5047
203
75°0

33 R6960
24a 1r 36p

Road 100 wide

Bath Fd

Timber Box Gum Bloodwood Tallowwood Turpentine Oak Stringybark & softwood Brush
Water permanent.

Azimuth taken from N bdy Por 19

Field Book Vol. 3257 Folio 27.

Reference to Corners

Corner	Bearing	From	Links	No on Tree
a	82° 25′	Box	49·2	32 22
b	353° 46′	Box	30·3	32 22
c	269° 56′	Box	66·6	22 33
d	42° 46′	Bloodwd	33	22 33
e	60° 19′	Tallow wd	48·6	20 22
f	86° 30′	Gum	80	19 22
g	5° 14′	Box	15	19 22
h	296° 00′	Bloodwd	40	33
j	28° 31′	Gum	26·1	20 33

Improvements Nil

Reference to Traverse

Line	Bearing	Distance

I hereby certify that I in person made and on the 18th August 10 completed the survey represented on this plan on which are written the bearings and lengths of the lines measured by me and I declare that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

Edwin H Johnson Licensed Surveyor

Transmitted to the District Surveyor with my letter of 31 August 10 No 19/35

Voucher No 10/38 Passed £11.8.11
Calculation Book No Folio
Checked and Charted 25th October 1910 Accepted Geo Allen
Examined and Plan approved 14th November 1910 M J Ames
Acting Draftsman-in-Charge

Scale 20 Chains to an Inch.

Traced 13.12.10 A.W. 14th Dec 1910

Cat. No R 6959 1759

No of Lith 05·603·0

Lithographed by Turners & Henderson

Req:R093389 /Doc:CP 06852-1759 P /Rev:25-Nov-2012 /Sts:OK.OK /Prt:22-Jul-2016 06:58 /Seq:1 of 1
Ref:B&P Surveys /Src:P

TWEED SHIRE

LAND BOARD DISTRICT No. 09.6360 GRAFTON

PLAN OF PORTION 31

County of Rous Parish of Kunghur

LAND DISTRICT OF MURWILLUMBAH LAND BOARD DISTRICT OF GRAFTON

Resumed Area No Pastoral Holding. Eastern Division.

Applied for under the 48th Section of the Crown Lands Act of 1884 by Frederick Edward Duncan

Por 31 CL 09·2 of 22nd April Forfeited and Reserved from Sale & Lease vide Gaz 10th June '14

Forfeiture Reversed vide Gazette 22nd Sept '15.

① Por 31 ACP 16sl Feby 1910 The Bank of Australasia (Conv CL 09·2)

Now Michael Joseph Beirne Sale completed Sales 40. 13953

R20017 1603 Rds 3½/20 Prelim notice of resumption Gazetted.

Now awaiting report from Forestry Comm.

Within the boundaries of the Tweed & Richmond Rivers Gold Field, Proclaimed 22nd October, 1887, open to Conditional Purchase.

PLAN MICROFILMED

NO ADDITIONS OR AMENDMENTS TO BE MADE

27 RG850

30 RG851

FE Duncan CP 09·31 101 ~~100~~ ac eards

E W Roberts CP 08·74

24 RG690

F R 33199

320a 1r ex rds. ~~320~~ ac ex rds

Notified 7th Sept 1901

31

Forest jungle Formation schist and slate soil Forest jungle Good 220 AC Dense brush

a 182° 00' 4198 b

b 45° 49' 2001 00"

c 296° 58' 1609 360° 00' 2048

d 159° 7' 5754 chains 00' P o

e 170° 8' 3707

f 213° 16' 5320

W A Grant CL 08·16 450ac ex rd.

29 RG853 B Solomons NRCP 09·21 315ac

BY LINES

Timber Box Gum Tallowwood Bloodwood Stringybk Turpentine Oak & softwood brush.

Water permanent in ordinary seasons

Azimuth taken from Por 27

Field Book Vol 8398 Folio 8

Reference to Corners

Corner	Bearing	From	Links	No on Tree
a	182° 00'	Brush	83·4	27 31
b	45° 49'	Gum	20·9	27 31
c	296° 58'	Stringybk	25·4	30 31
d	159° 7'	Brush	41·5	30 31
e	170° 8'	Stringybk	36·7	31
f	213° 16'	Turpentine	26·4	31

Value of Improvements Nil

Reference to Traverse

Line	Bearing	Distance

I hereby certify that I in person made and on the 22nd November 1909 completed the survey represented on this plan on which are written the bearings and lengths of the lines measured by me and I declare that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

Edwin H Johnson Licensed Surveyor

Transmitted to the District Surveyor with my letter of 30th November No 09/82

Voucher No 94/10 Passed £13:1.9 bk

Calculation Book No Folio Accepted

Checked and Charted 14 Feb 1910 Geo Allen

Examined and Plan approved 21st February 1910 W Ames Acting Draftsman-in-Charge

J Biden 23 May 1910

24 March 1910 App

Scale 20 Chains to an Inch.

R6852 1759

Req:R093390 /Doc:CP 06848-1759 P /Rev:25-Nov-2012 /Sts:OK.OK /Prt:22-Jul-2016 06:58 /Seq:1 of 1
Ref:B&P Surveys /Src:P

TWEED SHIRE

LAND BOARD DISTRICT
No. 09/6651
ENCLOSURE
HEAD OFFICE DRAFTS

PLAN OF PORTION 32

County of Rous *Parish of Kunghur*

Land District of Murwillumbah *Land Board District of Grafton*

Resumed Area N° *Pastoral Holding Eastern Division*

Applied for under the 47th Section of the Crown Lands Act of 1884 by Bessie Buchanan

Por 32 N.R.C.P. 09/16 of 4th March

PLAN MICROFILMED
NO ADDITIONS OR AMENDMENTS TO BE MADE

Within the boundaries of the Tweed & Richmond Rivers Gold Field, Proclaimed 22nd October, 1887, open to Conditional Purchase.

F.R. 33199

31 R6852
F. E. Duncan
C.L. 09/2
220a

24 R6690
W.A. Grant
C.L. 08/16
450a ex rd

29 R6253
B. Solomons
N.R.C.P. 09/21
315 ac

Notified

7th Sept 1901

both fd — Road one chain wide — both fd

A 90° 5420 B

N.R.C.P. 09/16
32
Bessie Buchanan
310 acs
C.S. 16.24397

5719 — 360° — 5350 — 360° 00' — 179°57 — 180° 360°

fair soil — forest — dense brush — gogie — jungle — fair soil

D 270° 5426 C

both fd

22 R6959

360° 190

115 ac.
both fd — line fd

R3380
19
John Smith P/CP 08/70
120 oc

Timber:- Box, Gum, Bloodwood Tallow-wood, Ironbark, Oak Stringybark, Turpentine & Softwood brush

Water:- Permanent in ordinary seasons

Formation:- Slate & Schist with a little volcanic

Azimuth taken from N^th B^dy Por 19

Field Book: Vol 8398 Fol^o 11

Reference to Corners

Corner	Bearing	From	Links	N° on Tree
A	98°19'	Box	47.7	↑ 32
B	146°45'	Tallowwd	35.4	↑ 32
C	353°46'	Box	30.3	↑ 32
D	82°25'	Box	49.2	↑ 32

Value of Improvements Nil

Reference to Traverse

Line	Bearing	Distance

I hereby certify that I in person made and on the 30th Nov 1909 completed the survey represented on this plan on which are written the bearings and lengths of the lines measured by me and I declare that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

Edwin W. Johnson *Licensed Surveyor*

Transmitted to the District Surveyor with my letter of 16th Dec^br 1909 N° 09/84

Voucher N° 09/82 Passed £ 16.3.0 Inb

Calculation Book N° *Folio* *Accepted*

Checked and Charted 14th Feb 1910 *Geo Allen*

Examined and Plan approved 21st February 1910 *Acting Draftsman-in-Charge*

F Biden 23 March 1910

24th March 1910

Scale 20 Chains to an Inch.

TRACING

R6848 1759

Req:R093391 /Doc:CP 06960-1759 P /Rev:25-Nov-2012 /Sts:OK.OK /Prt:22-Jul-2016 06:58 /Seq:1 of 1
Ref:B&P Surveys /Src:P

TWEED SHIRE

LAND BOARD DISTRICT
Papers
No. 10.4223
ENCLOSURE
LAND OFFICE GRAFTON

PLAN OF PORTION 33

County of Rous Parish of Kunghur

Land District Murwillumbah Land Board District Grafton Eastern Division

RESUMED AREA Nº PASTORAL HOLDING

Applied for under the Section of the Crown Lands Act of by

Measured in anticipation of demand

Within the boundaries of the Tweed & Richmond Rivers Gold Field, Proclaimed 22nd October, 1887, open to Conditional Purchase.

Sp.Lse.11.10. April 25th H.T.S.Bell. Disallowed Mc L.s 12.5546

Sp.Lse.12.25, H.T.S.Bell for grazing & access to water fr 25th Sep.'12 to 31st Dec'21 Gtd. Gaz. 25th Sep.'12.

Term extended to 31.12.28 Gaz. 5.5.22. Term extended to 31.12.35 Gaz 17.5.29.

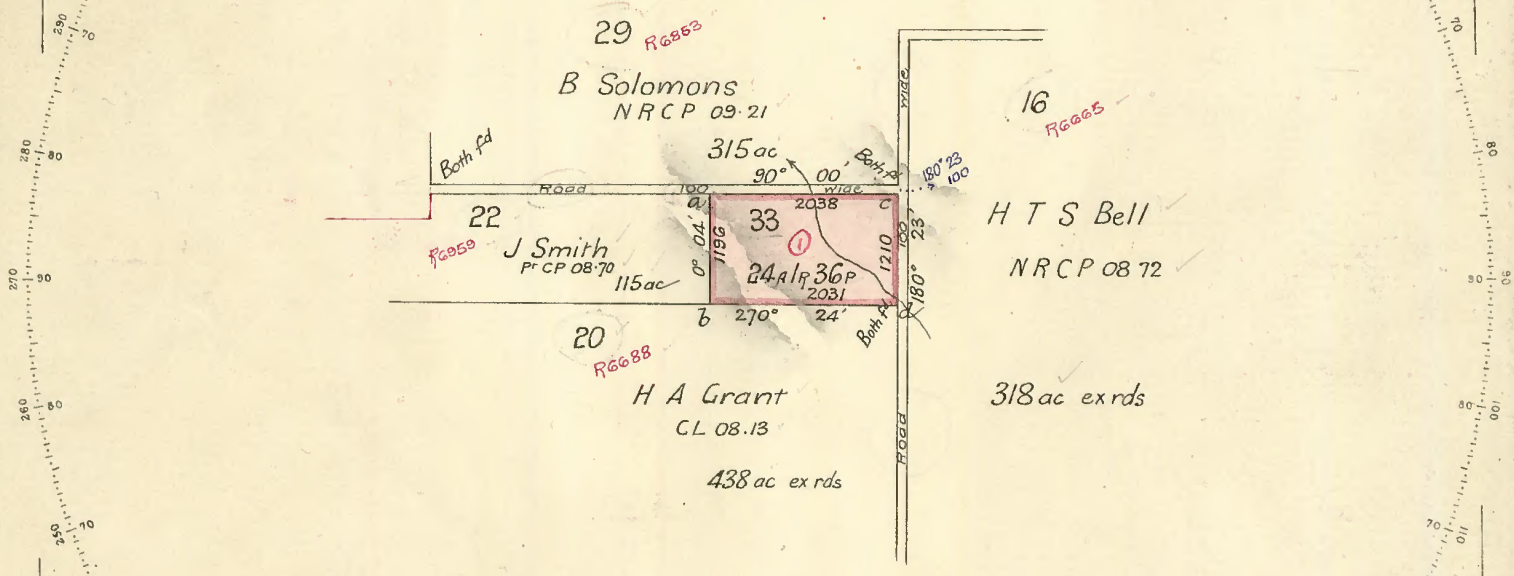
Sp.L.12.25 Term ext.d to 31.12.39. Gaz: 6.9.35 R.fm S.or L. Sec 228 Revoked 6.9.40

Por 33. Sp.L. 10.2, Clarence Michael McMahon.

" " Sp.L. 46.123 George Alexander Walters Refused L.47.3885

do. do. 47.51 do. do. do. Appd. Gaz. 10.8.57

(1) ~~Now C.P. 60.8 18th October George Alexander Walters. Withdrawn.~~ ~~Application for~~ addition to C.P. 08/70. George Alexander Walters. Sale Completed. Ten62.6667.



PLAN MICROFILMED
NO ADDITIONS OR AMENDMENTS TO BE MADE

Notes. Timber. Box Gum Bloodwood Stringybark Oak Tallowwood Turpentine & Softwood brush. Water not permanent. Formation Slate.

Azimuth taken from Por 29

Field Book Vol.3257 Folio 27

Reference to Corners

Corner	Bearing	From	Links	Nº on Tree
a ✓	269°56'	Box	66.6	22 33
b ✓	42°46'	Bloodwd	33	22 33
c	296°0'	Bloodwd	40	33
d ✓	28°31'	Gum	26.1	20 33

Improvements Nil

Reference to Traverse

Line	Bearing	Distance

I hereby certify that I in person made and on the 20th August 1910 completed the survey represented on this plan on which are written the bearings and lengths of the lines measured by me and I declare that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

6960-1759

Edwin H Johnson Licensed Surveyor

Transmitted to the District Surveyor with my letter of 31st August 1910 Nº 10/37

Voucher Nº 10/40 Passed £5.18.4 Dft

Calculation Book Nº ... Folio ... Accepted

Checked and Charted 25th October 1910 Ewallen

Examined and } 14th November 1910

Plan approved } M Somers Acting Draftsman-in-Charge

Scale 20 Chains to an Inch.

Lithographed by Turner & Henderson.

Plan Lith 05.9000

STANDARD TRACING PREPARED

Plan in Book of Tracings Tweed 13.12.10 and 14th Dec 1910

Cat Nº R6960 1759

Req:R036293 /Doc:CP 07400-1759 P /Rev:26-Nov-2012 /Sts:OK.OK /Prt:12-Jul-2016 11:31 /Seq:1 of 1
Ref:B&P Surveys /Src:P

Cancels part of plan R.6849 1759

TWEEDSHIRE
SUBDIVISION

LAND DISTRICT
No. 13/6918
ENCLOSURE
HEAD OFFICE GRAFTON

PLAN OF PORTION 35

County of Rous Parish of Kunghur
Land District of Murwillumbah Land Board District of Grafton
Resumed Area N° Pastoral Holding Eastern Division
Applied for under the 26th Section of the Crown Lands Act of 1908 by Amendment Beryl Beatrice Johnson
Por 35 Part of Portion 3 of 170 acs ANRCP 09.43 of 10th June '09 - Now NRCP 13.13 of 10th June 09 Sec. 26 Act 1908

24 R.6690
W A Grant ACP 11.40
450 a ex rd

28 R.6854
B B Johnson NRCP 09/4
150 a ex rd

3 R.6849
B B Johnson ANRCP 09 43
93¾ 94 ac 270° 23' P.O.

Both rd

to Murwillumbah

29 R.6853 felled
B Solomons NRCP 09 21
315 ac

35
Beryl Beatrice Johnson
76 acs
CS 14 3767
c 270° 1886 d
NRCP 13.13
b 90 1914
a
400 links
3 wires 360° 00' 180 355 37
Road one chain wide

21 R.6666
R A Holmes NRCP 08 80
318 a 2 r 16 p ex rds

16 R.6665
H T S Bell NRCP 08 72
for access
318 a ex rds

PLAN MICROFILMED
NO ADDITIONS OR AMENDMENTS TO BE MADE

Azimuth taken from a d
Field Book Vol 8440 Folio 47

Reference to Corners

Corner	Bearing	From	Links	N° on Tree
a	323° 14'	Bloodwood	43·6	21·35
b	31 50	do	40·6	3·35
c	176 39	do	29·2	29·35
d	226 42	Stringybark	44·6	21·35

Reference to Traverse

Line	Bearing	Distance

Value of Improvements £320 - 3/. being
½ Fence on S. bdy @ 13/- per chain = £6·3
½ Fence on W. bdy @ 10/- do = £10·
76 acres felled and grassed @ £4 = £304

I hereby certify that I in person made and on the 19 September 1913 completed the survey represented on this plan on which are written the bearings and lengths of the lines measured by me and I declare that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

Edwin H Johnson
Licensed Surveyor

Transmitted to the District Surveyor with my letter of 8th December 1913 N° 33

Voucher N° 13·32 Passed 14. 2. 6
Calculation Book N° A 206 Folio 58
Checked and Plotted E. Gal 30.12.13
Examined Bruce B Kooo 9. 1. 14.
Plan approved

Scale 20 Chains to an Inch.

Received in Head Office Maps 16 Jan 1914
Examined 17th March 1914

R. 7400 1759

Req:R335019 /Doc:DP 0134446 P /Rev:25-Feb-1997 /Sts:OK.OK /Prt:18-Nov-2005 12:59 /Pgs:ALL /Seq:1 of 1
Ref:Brown & Pluthero /Src:P

20-0090

PLAN OF PART OF PORTION 21 BEING PART OF THE LAND COMPRISED IN VOL-11248 FOL-213

D. P. 134446

Registered: 20-2-1997 M

C.A.:

Title System: TORRENS

Purpose: DEPARTMENTAL

Ref. Map: PARISH (59)#

Last Plan: D.P. 737440

Mun./Shire/City TWEED

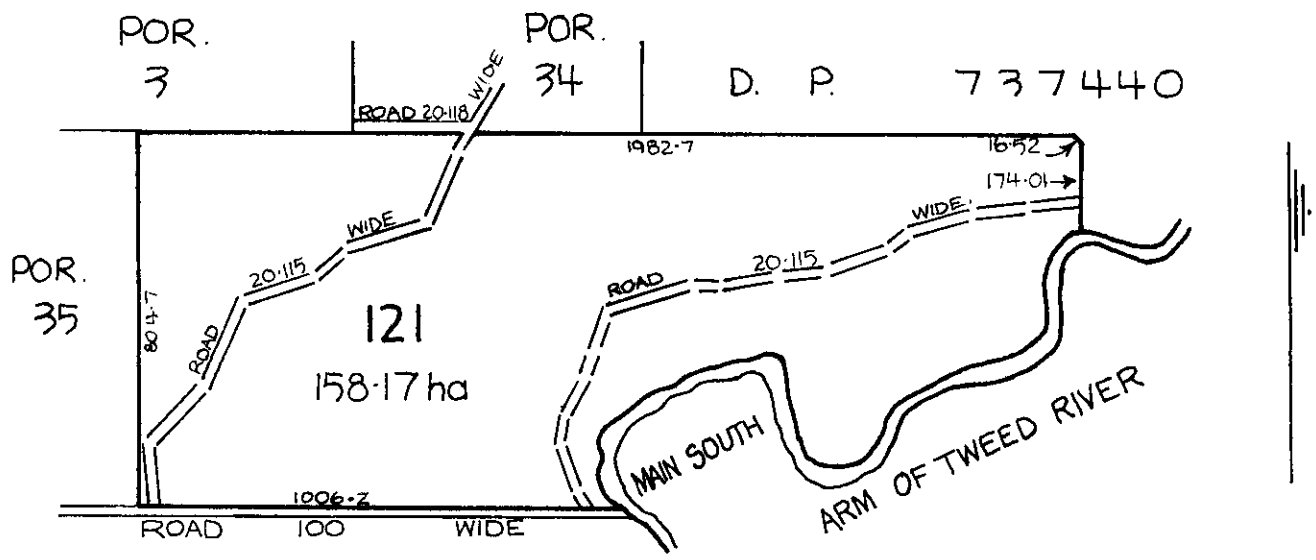
Town or Locality

Parish KUNGHUR

County ROUS

Reduction Ratio 1: N.T.S. Lengths are in metres

G.D.B.–BRAY 35



Tweed Shire

LB 10. 4222

PLAN OF PORTION 34

County of Rous Parish of Kunghur

LAND DISTRICT OF Murwillumbah LAND BOARD DISTRICT OF Grafton

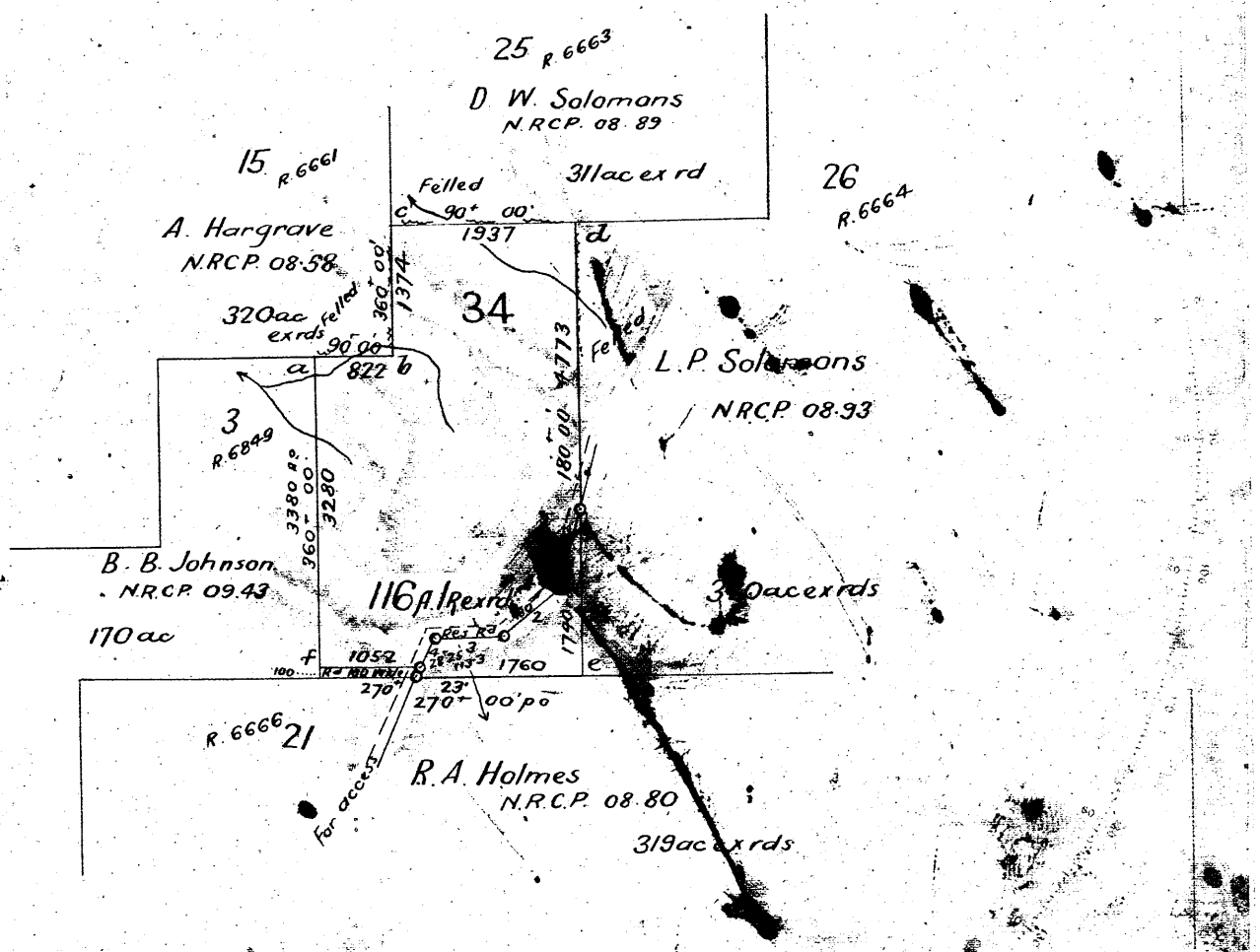
Resumed Area No. Pastoral Holding. Eastern Division.

Applied for under the Section of the Crown Lands Act of 1884 by Measured in anticipation

Within the Tweed & Richmond Rivers Gold Field Proclⁿ 22·10·87 open to C.P.

Por. No. C.P. No.

Por. No. C.L. No.



Timber. Box Gum Bloodwood Tallowwood Ironbark
Stringybark Turpentine Brush
Water permanent in ordinary seasons

Azimuth taken from Por 3

Field Book Vol 3257 Folio 26

Reference to Corners

Corner	Bearing	From	Links	No. on Tree
a	308° 15'	Box	27·5	3. 34
b	262 0	Bloodwd	36	15. 34
c	331 15	Bloodwd	40·7	25. 34
d	37 50	Ironbk	29·3	26. 34
e	307 35	Bloodwd	18·9	26. 34
f	349 55	Ironbk	11. 2	34

Value of Improvements Nil

Reference to Traverse

Line	Bearing	Distance
1	195° 45'	880
2	230 28	755
3	269 03	728·6
4	208 25	329·3

I hereby certify that I in person made and on the 13th Augst 1910 completed the survey represented in this plan on which are shown the bearings and lengths of the lines measured by me and I certify that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

Edwin H. Johnson Licensed Surveyor

Transmitted to the District Surveyor with my letter of 14th Augst 1910 No. 36

Voucher No. 10/99 Passed £9. 15. 4 M.J.

Calculation Book No. 60 Accepted

Checked and Charted 10. 10. Geo Allen

Examined and Plan approved 14th November 1910

M. James Actg D. in C.

Scale 20 Chains to an Inch.

R. 6964. 2753

APPENDIX H: OTHER INFORMATION

NIGHTCAP URBAN VILLAGE

Contaminated Land Assessment

10 June 2008
Job No. 3500/53

Peter Van Lieshout

Cardno (Qld) Pty Ltd

ABN 57 051 074 992

5 Gardner Close Milton Q 4064

PO Box 388 Toowong

Queensland 4066 Australia

Telephone: 07 3369 9822

Facsimile: 07 3369 9722

International: +61 7 3369 9822

Email: cardno@cardno.com.au

Web: www.cardno.com.au

Document Control

Version	Date	Author		Reviewer	
		Name	Initials	Name	Initials
1	1 February 2008	Cherie O'Sullivan	COS	Catriona Sutcliffe	CS
2	14 February 2008	Cherie O'Sullivan	COS	Catriona Sutcliffe	CS
3	10 June 2008	Cherie O'Sullivan	COS	Pauline Jacob	PRJ.

"© 2008 Cardno (Qld) Pty Ltd All Rights Reserved. Copyright in the whole and every part of this document belongs to Cardno (Qld) Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in or on any media to any person without the prior written consent of Cardno (Qld) Pty Ltd."

NIGHTCAP URBAN VILLAGE

CONTAMINATED LAND ASSESSMENT

TABLE OF CONTENTS

1. INTRODUCTION 1

2. SITE DESCRIPTION 2

3. PROPOSED LAND USE 3

4. INFORMATION REVIEW 4

4.1 Council Contaminated Land Investigation 4
4.2 Planning Certificate 4
4.3 Licensed Activities 4
4.4 Contaminated Land Record 5
4.5 Topographic Mapping 5
4.6 Historical Aerial Photography 6

5. CONCLUSION AND RECOMMENDATIONS 7

LIST OF FIGURES

Figure 1 Locality Plan
Figure 2 Aerial Photograph of Site 1954
Figure 3 Aerial Photograph of Site 1962
Figure 4 Aerial Photograph of Site 1971
Figure 5 Aerial Photograph of Site 1979
Figure 6 Aerial Photograph of Site 1991
Figure 7 Aerial Photograph of Site 2000
Figure 8 Aerial Photograph of Site 2004

APPENDICES

APPENDIX A Contaminated Lands Investigation
APPENDIX B Planning Certificates under Section 149 of the EPA Act
APPENDIX C Contaminated Land Record for Tweed Shire

1. INTRODUCTION

This Contaminated Land Assessment has been prepared on behalf of Peter Van Lieshout for Lot 3 on DP771335, Lot 4 on DP737440, Lot 121 on DP134446, Lot 3 on DP 755714 and Lot 34 on DP 755714 located on the Uki-Kyogle Road, Kunghur, Tweed Shire (the site).

The objectives of this assessment is to undertake a desktop review of available information to determine whether the site contains contaminated land or has a history of activities that would cause land contamination.

This investigation has collated available information required by the Tweed Shire Council (Council) Contaminated Land Policy adopted 15 December 2004 (the Policy), to determine the likelihood of land contamination. The results are based on a search of Council and New South Wales Environmental Protection Agency (EPA) records, interrogation of historical aerial photography and an examination of topographical information.

It is relevant to note that the EPA has been absorbed by the Department of Environment and Climate Change (DECC), however, DECC acts under the powers of the statutory Environment Protection Authority for regulatory matters for environment protection. Both EPA and DECC are interchanged throughout this document as appropriate.

2. SITE DESCRIPTION

The site is described as Lot 3 on DP771335, Lot 4 on DP737440, Lot 121 on DP134446, Lot 3 on DP 755714 and Lot 34 on DP 755714 encompassing a total area of 434 ha. The site is located on the Uki-Kyogle Road, 12 km south-west of Uki and is situated on the Tweed River in the valley between Mt Warning and the Nightcap Ranges. A plan of the site's locality is presented as Figure 1.

The site is bound to the:

- south by Uki-Kyogle Road and to the south-west by a native plantation forest;
- north by partially cleared land and existing rural dwellings;
- east by partially cleared land and the Uki-Kyogle Road; and
- west by bushland.

The site is elevated at approximately 100m Australian Height Datum (AHD). The southern sectors of the site are traversed by the Tweed River which flows in an easterly direction across the site.

The majority of the site is highly disturbed as a consequence of past vegetation clearance events.

Pursuant to the *Tweed Local Environment Plan 2000* ("*Tweed LEP*") parts of Lot 121 on DP134446 (Lot 121) have a 2(d) Village designation which is classified as a Residential area with the remainder of the site zoned for a 1(a) Rural designation under the *Tweed LEP*.

No information on zonings of the land under previous planning schemes was available for this report.

3. PROPOSED LAND USE

Peter Van Lieshout proposes to develop the parts of Lot 121 within the site with the Nightcap Rural Village, a residential development in accordance with the "2(d) Village" designation under the *Tweed LEP*. The Nightcap Rural Village would consist of:

- Village Lots;
- Village Housing precinct;
- Mixed Village precinct;
- Tourism and Special Uses areas;
- Open Space areas (Village Green, Sports Display, Market Garden);
- Environmental Open Space;
- two centrally located dams;
- Parking; and
- Rehabilitation Areas.

4. INFORMATION REVIEW

A desktop review of available information on the site in respect of contamination has been undertaken.

4.1 Council Contaminated Land Investigation

Council records for each lot within the site identified no known potentially contaminating activities. The results of the Contaminated Land Investigation are provided herewith as Appendix A.

It is relevant to note that only approved land uses that have the potential to contaminate the site are recorded by Council.

4.2 Planning Certificate

Section 149 of the *Environmental Planning and Assessment Act 1979* (EPA Act) provides for Local Council Authorities to issue Planning Certificates with details of all planning issues relevant to particular parcels of land.

Cardno has obtained a Planning Certificates under Section 149 of the EPA Act for the site.

The Planning Certificates indicated that the Tweed Shire Council does not hold any records that suggest the site would contain contaminated land. A copy of the Planning Certificates obtained under Section 149 of the EPA Act are included as Appendix B.

The Planning Certificates acknowledges that Tweed Shire Council has not prepared any detailed information as to whether this land has been previously contaminated and there may be gaps in the information provided.

4.3 Licensed Activities

The public register established under Section *308 of the Protection of the Environment Operations Act 1997* (the POEO Act) contains:

- environment protection licences;
- applications for new licences and to transfer or vary existing licences;
- environment protection and noise control notices;
- convictions in prosecutions under the POEO Act;
- the results of civil proceedings;
- licence review information;
- exemptions from the provisions of the POEO Act or regulations;
- approvals granted under clause 9 of the POEO (Control of Burning) Regulation; and
- approvals granted under clause 7A of the POEO (Clean Air) Regulation.

The public register under section the POEO Act indicates whether any notifiable activities that require licensing pursuant to the POEO Act have been authorised for the site.

A search of the public register on 9 June 2008 under Section 308 of the POEO Act identified no records for the site.

Only licensed uses are documented in the public register and illegal uses that may cause contamination are not recorded.

4.4 Contaminated Land Record

The Contaminated Land Public Record is a searchable database of:

- actions taken by the EPA/DECC under sections 15, 17, 19, 21, 23, 26 or 28 of the *Contaminated Land Management Act 1997* (CLM Act);
- actions taken by the EPA/DECC under section 35 or 36 of the *Environmentally Hazardous Chemicals Act 1985* (EHC Act) * ;and
- site audit statements provided to the EPA under section 52 of the CLM Act on sites subject to an in-force declaration or order.

* Some notices under section 35 of the EHC Act 1985 were issued by the State Pollution Control Commission, which was the Government Agency responsible for managing contaminated sites before the EPA was established in 1992 in NSW.

Section 58 of the CLM Act requires the EPA/DECC to make available copies or details of these notices to the public.

Specifically, the notices in the record are:

- copies of declarations of land as investigation areas or remediation sites;
- copies of investigation orders;
- copies of remediation orders;
- copies of site audit statements provided to the EPA/DECC for site audits carried out for the purposes of a statutory requirement and relating to land that is subject to a declaration or order that is in force;
- notes of the existence of voluntary investigation or remediation proposals agreed to by the EPA/DECC; and
- copies of notices requiring the maintenance of remediation action.

A search of the Contaminated Land Record was undertaken on 9 June 2008 via the NSW DECC website. The site was not listed as having received a notice pursuant to the Contaminated Land Record. A copy of the records for sites listed within the Tweed Shire is included as Appendix C.

It is relevant to note that not all sites that may be contaminated have received a notice from the EPA/DECC under Section 58 of the CLM Act.

4.5 Topographic Mapping

The Council Contaminated Land Investigation outlined in Section 4.1 also included a search of relevant 1:25,000 and 1:50,000 topographic maps as follows:

- Brays Creek 9541-111-S 1:25,000 1975;

- Brays Creek 9541-111-S 1:25,000 1986;
- Brays Creek 9541-3-S 1:25,000 1986;
- Brays Creek 9541-3S 1:25,000 2002; and
- Tyalgum 9541-111 1:50,000 1969.

The topographic maps did not identify any potentially contaminating activities on the subject site prior to 1986.

Potential off site sources of contamination located on the topographic maps include the Kunghur Yards located on the northern banks of the Tweed River, approximately 1 km north east of the site at an elevation of approximately 80m AHD.

Mark Longbottom, Environmental Health Officer of Tweed Shire Council has indicated that the Kunghur Yards contain a Cattle Tick Dip, however, given the Kunghur Yards are located at a lower elevation and also downstream of the site, there is a low probability that any contamination associated with the Kunghur Yards Cattle Tick Dip would migrate to the site.

4.6 Historical Aerial Photography

An interrogation of historical aerial photography of the site was undertaken for the following years.

- 1954
- 1962
- 1971
- 1979
- 1991
- 2000
- 2004

These historical aerial photographs of the site are provided in Figure 2-Figure 8.

No aerial photographs were available prior to 1954.

The site was substantially cleared in the 1954 photograph and, given the amount of regrowth, it appears that little additional clearing has occurred since then. The extent of clearing in the 1954 photograph indicates that the site has been used for livestock grazing. The aerial photographs do not show any signs of potentially contaminating activities listed in Schedule 1 of the Policy.

5. CONCLUSION AND RECOMMENDATIONS

Information obtained from Council records, EPA/DECC records, historical aerial photography and topographical maps in relation to the history of potentially contaminating activities on the site was reviewed as part of this report. The available information is limited to providing information on documented and photographed landuses.

The available information shows no evidence of any known potentially contaminating activities on the site. No further investigations are recommended.

Due to the limitation in information, it is recommended that the management of construction activities for the Nightcap Village includes a defined strategy for the management of contaminated land, should evidence of contamination be identified during construction works. Such evidence may include visual or olfactory evidence or anecdotal information.

The strategy for managing any contamination identified during construction works should include the isolation of suspect material, testing as necessary to determine the nature and extent of contamination, and appropriate treatment or disposal of contaminated material as required.

FIGURES

Figure 1 Locality Plan

Figure 2 Aerial Photograph of Site 1954

Figure 3 Aerial Photograph of Site 1962

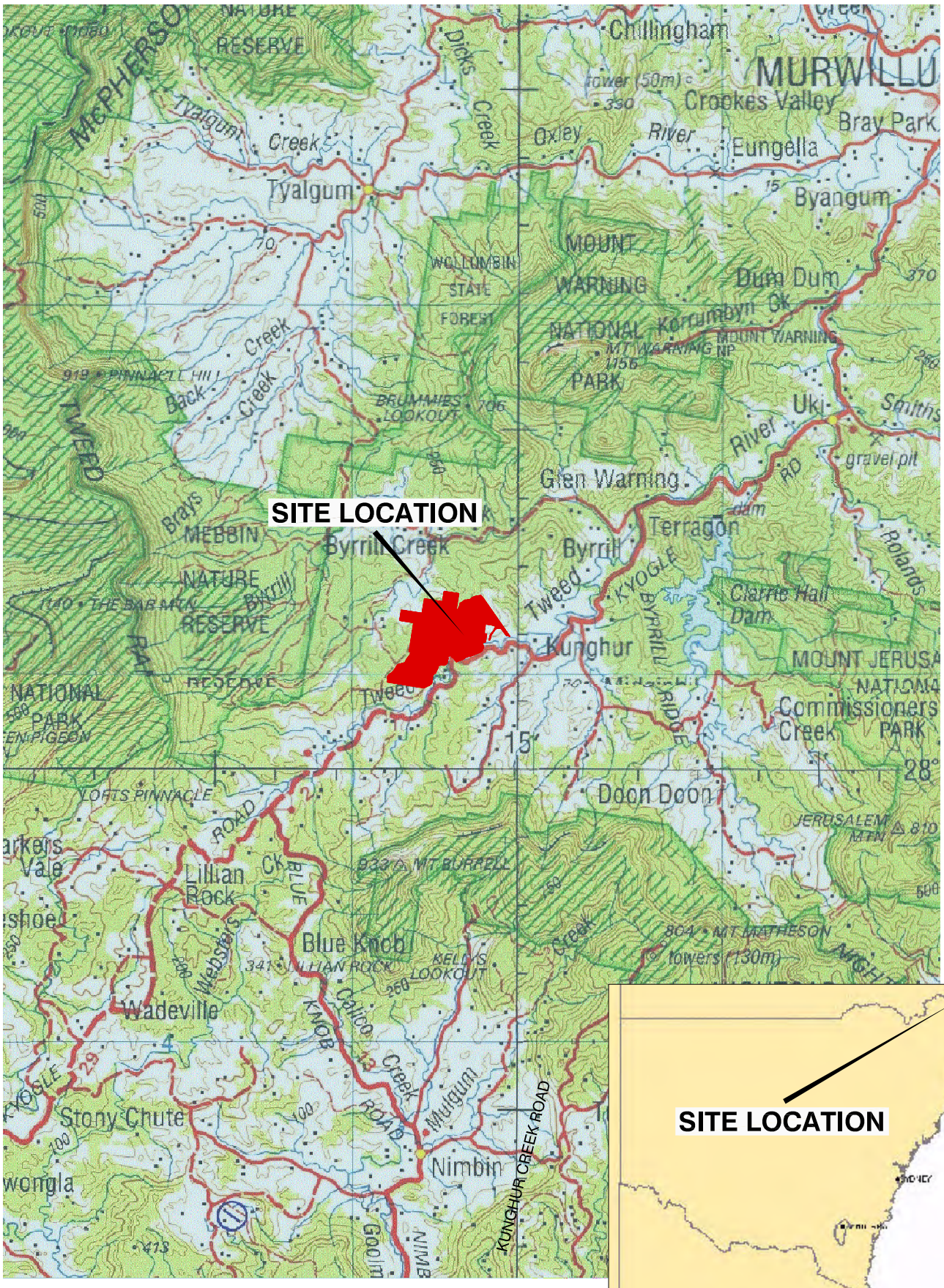
Figure 4 Aerial Photograph of Site 1971

Figure 5 Aerial Photograph of Site 1979

Figure 6 Aerial Photograph of Site 1991

Figure 7 Aerial Photograph of Site 2000

Figure 8 Aerial Photograph of Site 2004



© Cardno (Qld) Pty Ltd All Rights Reserved 2008.
Copyright In the whole and every part of this drawing belongs to Cardno (Qld) Pty Ltd and may not be used, sold, transferred, copied or reproduced In whole or In part In any manner or form or on any media, to any person other than by agreement with Cardno (Qld) Pty Ltd.

This document is produced by Cardno (Qld) Pty Ltd solely for the benefit of and use by the client in accordance with the terms of the retainer. Cardno (Qld) Pty Ltd does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by third party on the content of this document.

Scale 1:150,000 (A4)

FIGURE 1
LOCALITY PLAN

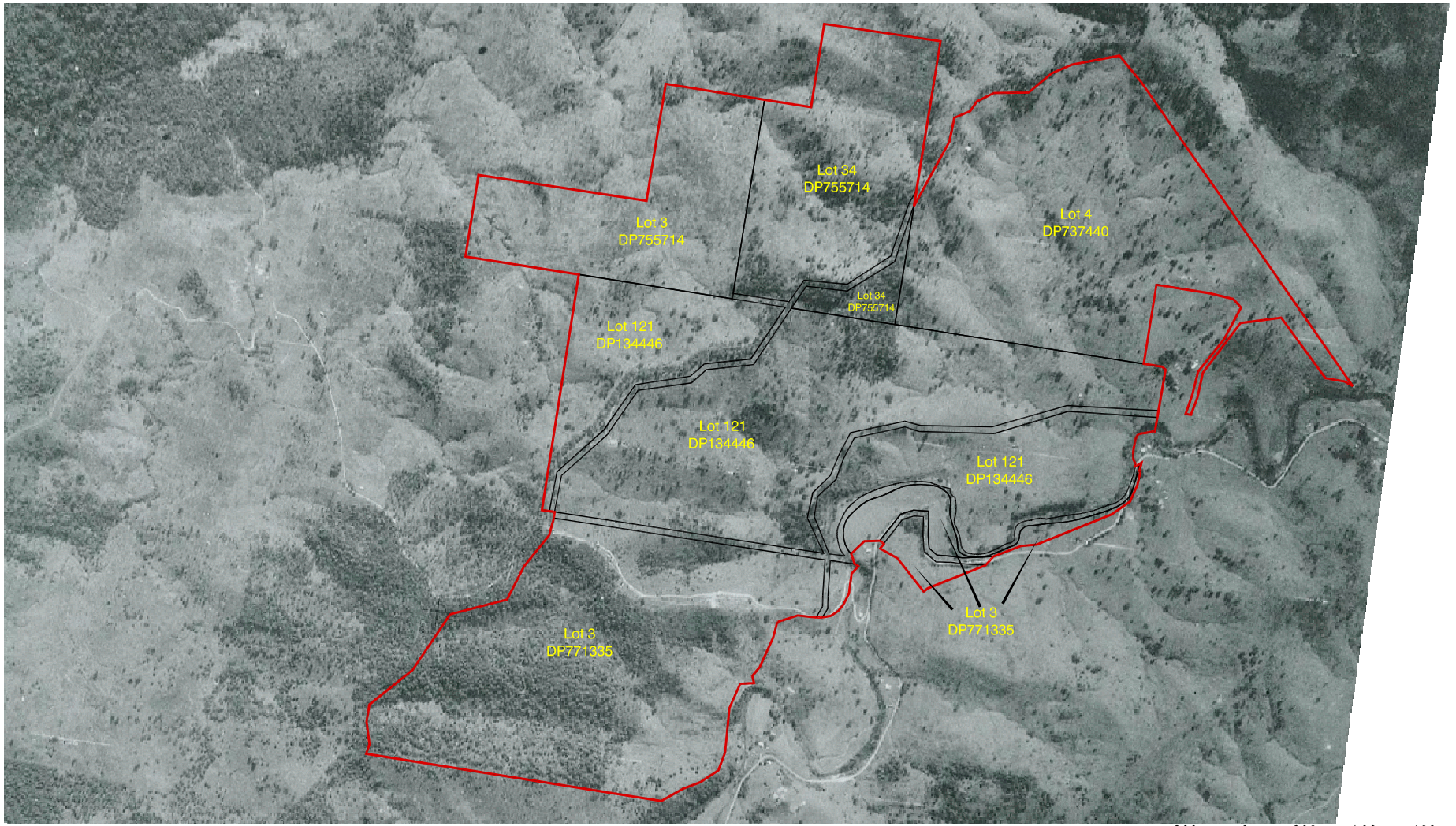
Rev: Orig. Date: 25 January 2008

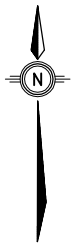
Project No.: 3500/53

Peter Van Lieshout

CAD FILE: I:\3500-53\ACAD\Contaminated Land Assessment\Figure 1 - Locality Plan_v2.dwg
XREF's: xr-Cadastre_study_area MGA94; xr-NSW Topo Maps

PRINT DATE: 10 June, 2008 - 8:56am





200 0 200 400 600 800 1000m
1:20,000

Aerial photographs sourced from Department of Lands NSW,
Land Administration & Management Property & Spatial Information (Murwillumbah)

© Cardno (Qld) Pty Ltd All Rights Reserved 2008.
Copyright in the whole and every part of this drawing belongs to Cardno (Qld) Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or on any media, to any person other than by agreement with Cardno (Qld) Pty Ltd.

This document is produced by Cardno (Qld) Pty Ltd solely for the benefit of and use by the client in accordance with the terms of the retainer. Cardno (Qld) Pty Ltd does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by third party on the content of this document.

LEGEND

Site boundary

Scale 1:20,000(A4)

FIGURE 2
AERIAL PHOTOGRAPH OF SITE - 1954

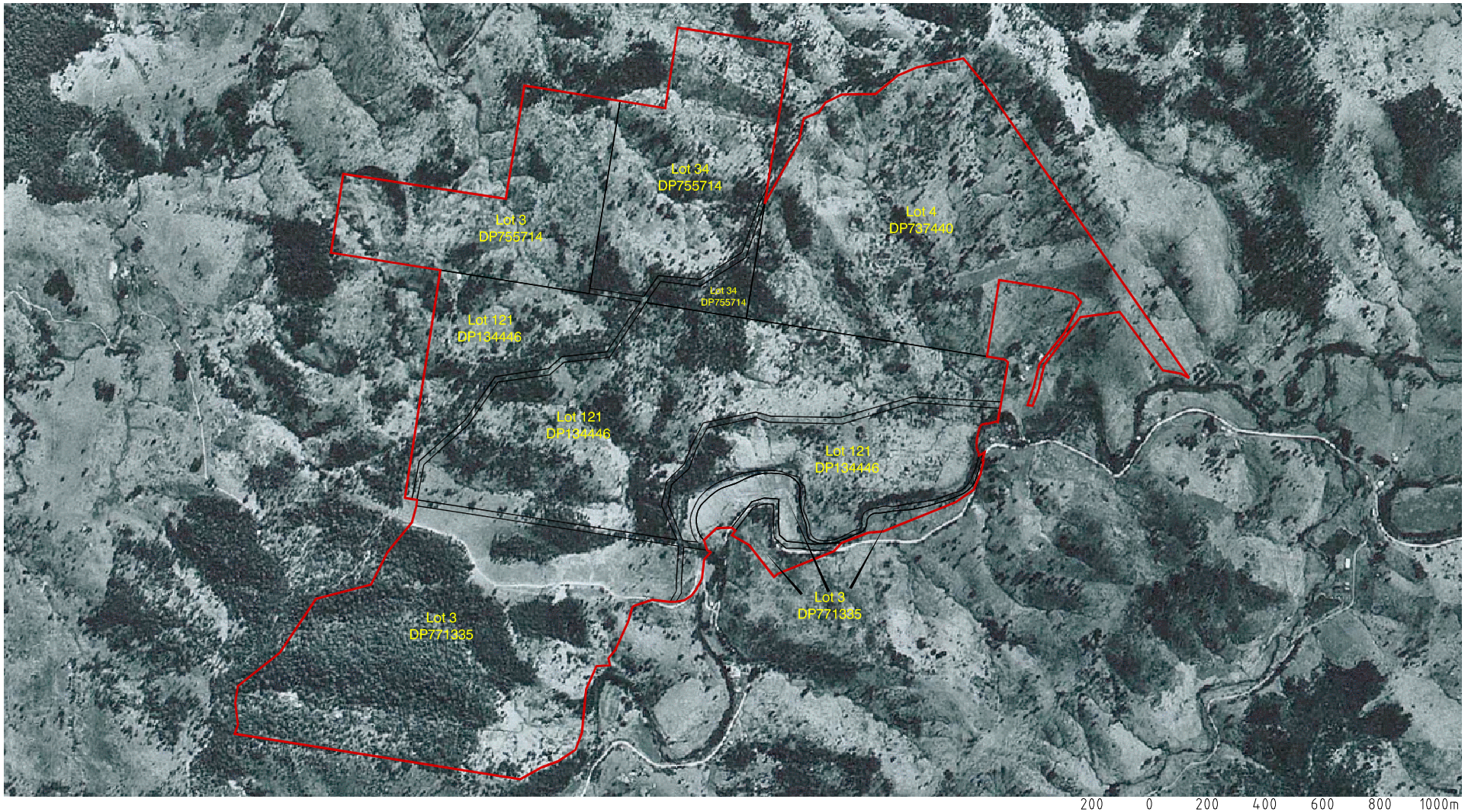
Rev: Orig. Date: 27 May 2008

Project No.: 3500/53

Peter Van Lieshout

CAD FILE: I:\3500-53\ACAD\Contaminated Land Assessment\Figure 2to8 - Historical Aerial Photography_v3.dwg
XREF's:

PRINT DATE: 11 June, 2008 - 8:38am



200 0 200 400 600 800 1000m
1:20,000

Aerial photographs sourced from Department of Lands NSW,
Land Administration & Management Property & Spatial Information (Murwillumbah)

© Cardno (Qld) Pty Ltd All Rights Reserved 2008.
Copyright in the whole and every part of this drawing belongs to Cardno (Qld) Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or on any media, to any person other than by agreement with Cardno (Qld) Pty Ltd.

This document is produced by Cardno (Qld) Pty Ltd solely for the benefit of and use by the client in accordance with the terms of the retainer. Cardno (Qld) Pty Ltd does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by third party on the content of this document.

LEGEND

Site boundary

Scale 1:20,000(A4)

FIGURE 3
AERIAL PHOTOGRAPH OF SITE - 1962

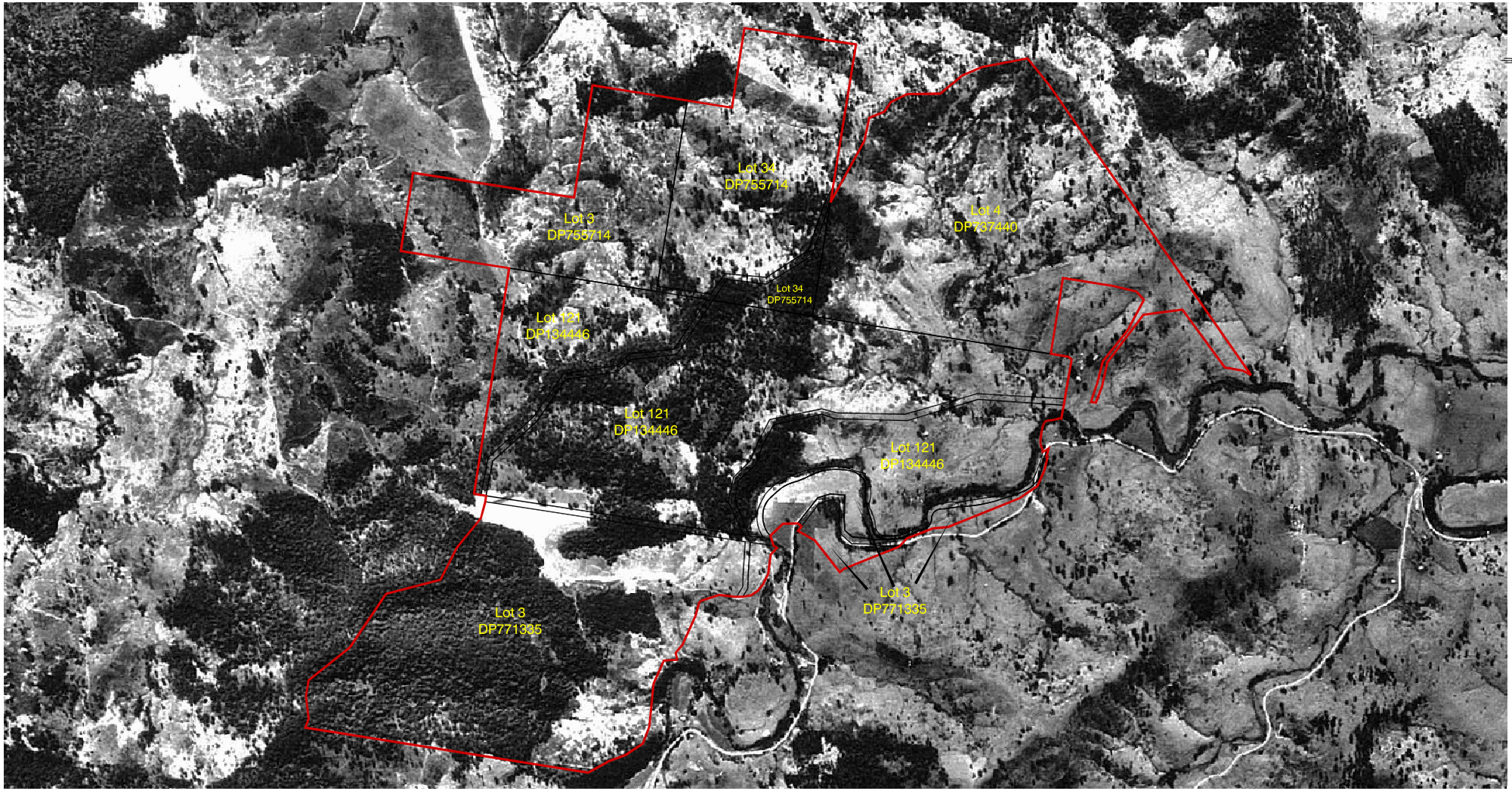
Rev: Orig. Date: 27 May 2008

Project No.: 3500/53

Peter Van Lieshout

CAD FILE: I:\3500-53\ACAD\Contaminated Land Assessment\Figure 2to8 - Historical Aerial Photography_v3.dwg
XREF's:

PRINT DATE: 11 June, 2008 - 8:42am



Aerial photographs sourced from Department of Lands NSW,
Land Administration & Management Property & Spatial Information (Murwillumbah)

© Cardno (Qld) Pty Ltd All Rights Reserved 2008.
Copyright in the whole and every part of this drawing belongs to Cardno (Qld) Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or on any media, to any person other than by agreement with Cardno (Qld) Pty Ltd.

This document is produced by Cardno (Qld) Pty Ltd solely for the benefit of and use by the client in accordance with the terms of the retainer. Cardno (Qld) Pty Ltd does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by third party on the content of this document.

LEGEND

Site boundary

Scale 1:20,000(A4)

FIGURE 4
AERIAL PHOTOGRAPH OF SITE - 1971

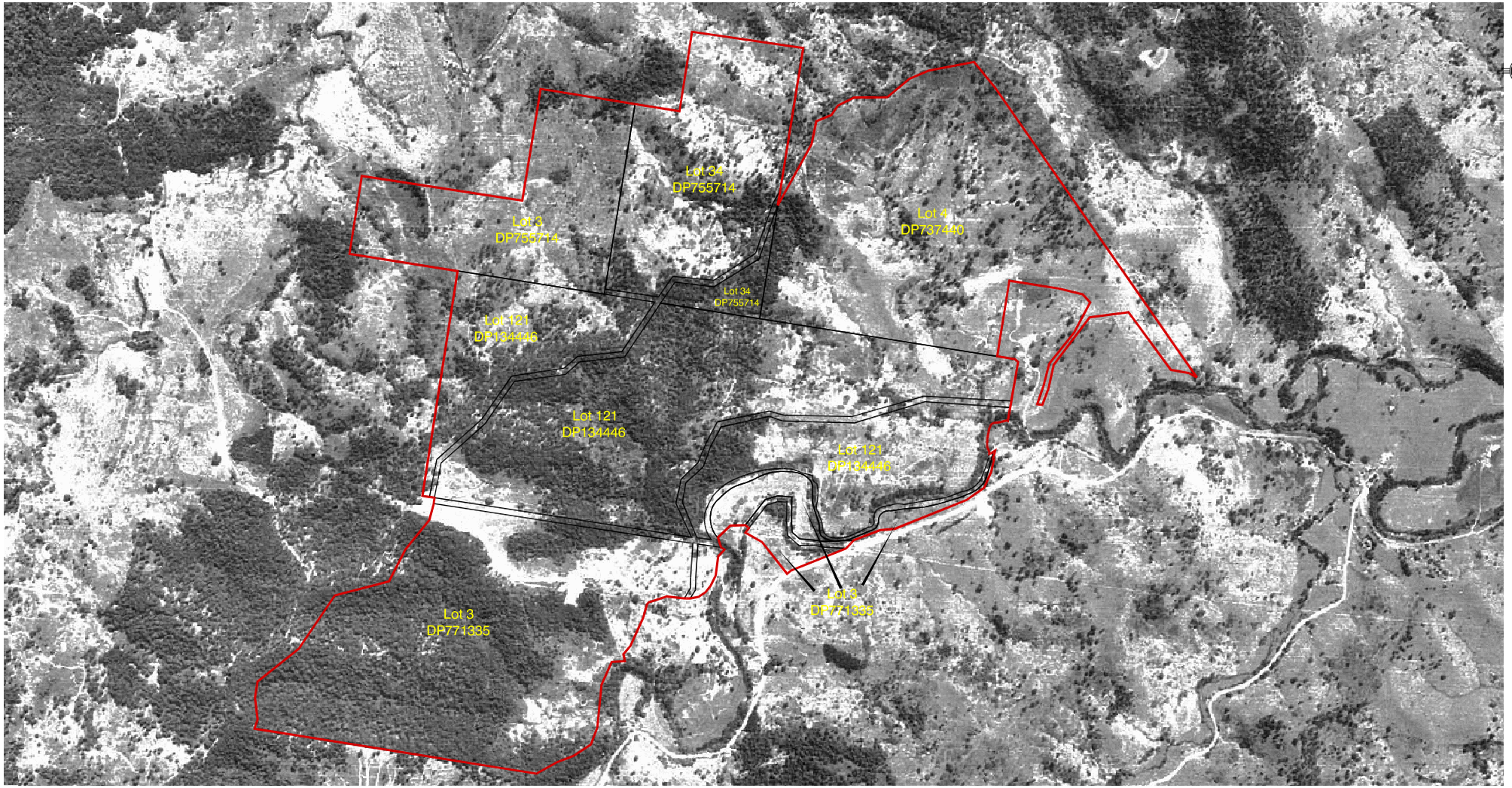
Rev: Orig. Date: 27 May 2008

Project No.: 3500/53

Peter Van Lieshout

CAD FILE: I:\3500-53\ACAD\Contaminated Land Assessment\Figure 2to8 - Historical Aerial Photography_v3.dwg
XREF's:

PRINT DATE: 11 June, 2008 - 8:42am



200 0 200 400 600 800 1000m
1:20,000

Scale 1:20,000(A4)

LEGEND

Site boundary

FIGURE 5
AERIAL PHOTOGRAPH OF SITE - 1979

Aerial photographs sourced from Department of Lands NSW,
Land Administration & Management Property & Spatial Information (Murwillumbah)

© Cardno (Qld) Pty Ltd All Rights Reserved 2008.
Copyright in the whole and every part of this drawing belongs to Cardno (Qld) Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or on any media, to any person other than by agreement with Cardno (Qld) Pty Ltd.

This document is produced by Cardno (Qld) Pty Ltd solely for the benefit of and use by the client in accordance with the terms of the retainer. Cardno (Qld) Pty Ltd does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by third party on the content of this document.

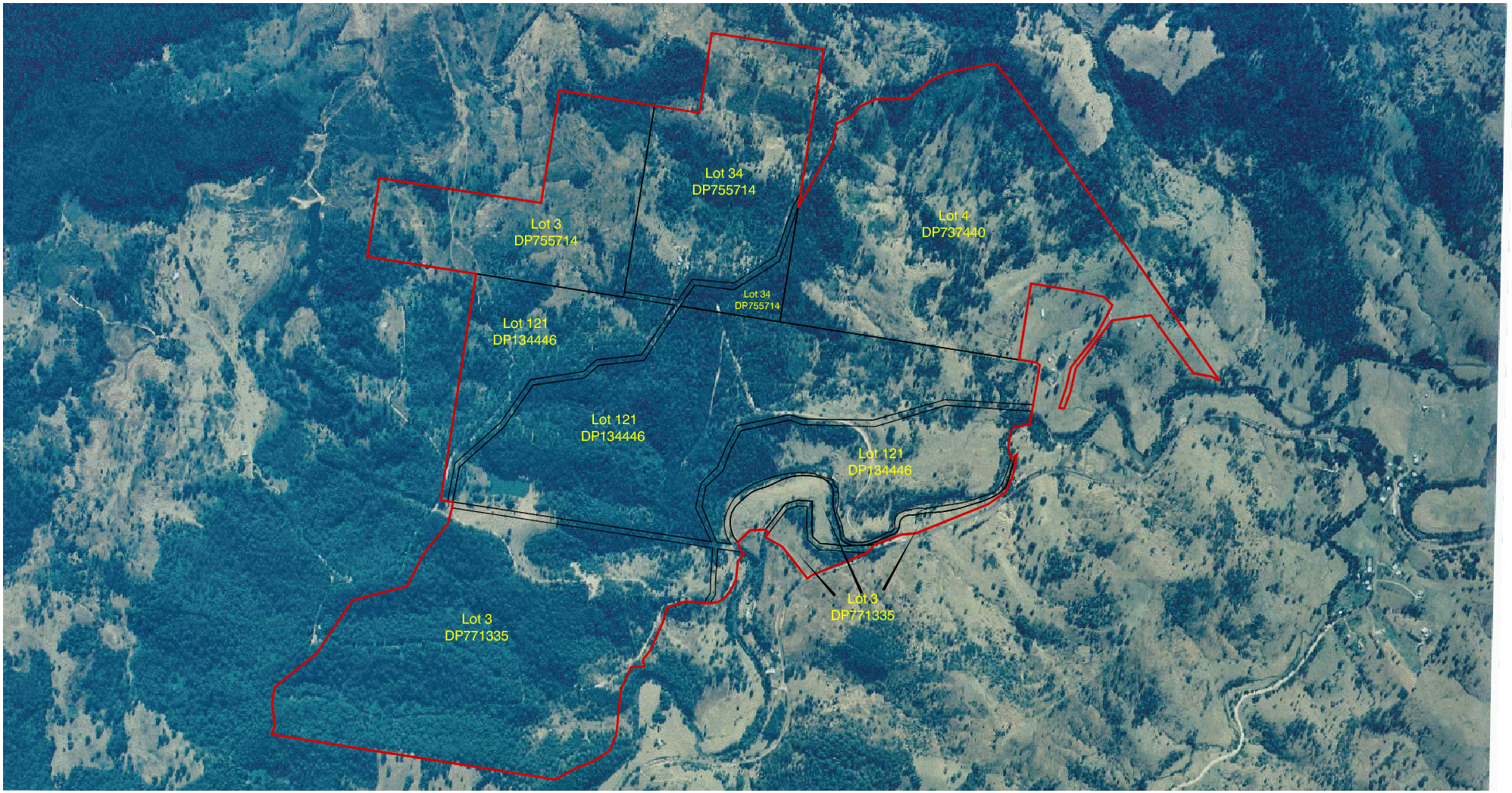
Rev: Orig. Date: 27 May 2008

Project No.: 3500/53

Peter Van Lieshout

CAD FILE: I:\3500-53\ACAD\Contaminated Land Assessment\Figure 2to8 - Historical Aerial Photography_v3.dwg
XREF's:

PRINT DATE: 11 June, 2008 - 8:42am



200 0 200 400 600 800 1000m
1:20,000

Scale 1:20,000(A4)

Aerial photographs sourced from Department of Lands NSW,
Land Administration & Management Property & Spatial Information (Murwillumbah)

© Cardno (Qld) Pty Ltd All Rights Reserved 2008.
Copyright in the whole and every part of this drawing belongs to Cardno (Qld) Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or on any media, to any person other than by agreement with Cardno (Qld) Pty Ltd.

This document is produced by Cardno (Qld) Pty Ltd solely for the benefit of and use by the client in accordance with the terms of the retainer. Cardno (Qld) Pty Ltd does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by third party on the content of this document.

LEGEND

Site boundary

FIGURE 6
AERIAL PHOTOGRAPH OF SITE - 1991

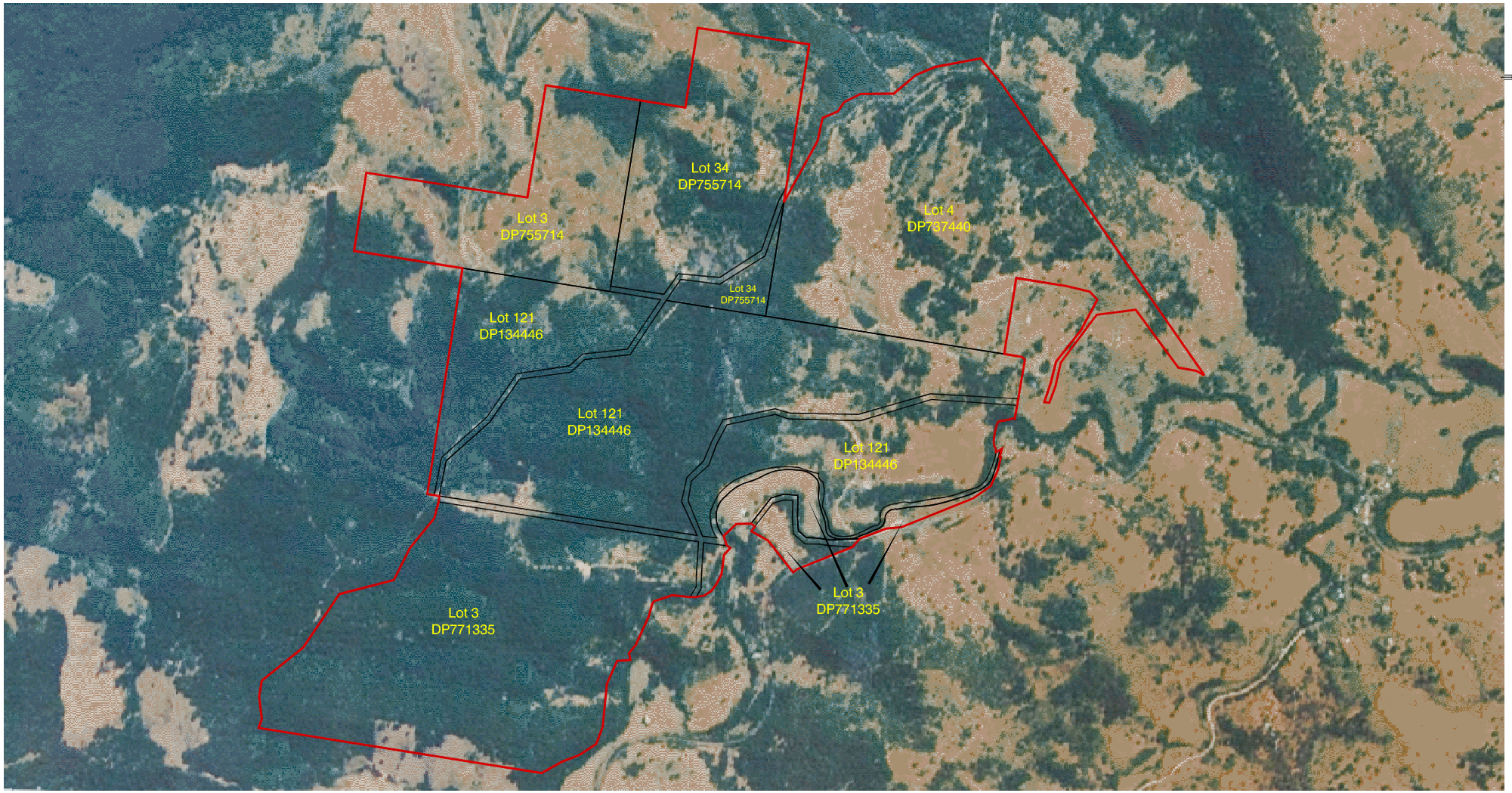
Rev: Orig. Date: 27 May 2008

Project No.: 3500/53

Peter Van Lieshout

CAD FILE: I:\3500-53\ACAD\Contaminated Land Assessment\Figure 2to8 - Historical Aerial Photography_v3.dwg
XREF's:

PRINT DATE: 11 June, 2008 - 8:42am



200 0 200 400 600 800 1000m
1:20,000

Scale 1:20,000(A4)

LEGEND

Site boundary

FIGURE 7
AERIAL PHOTOGRAPH OF SITE - 2000

Aerial photographs sourced from Department of Lands NSW,
Land Administration & Management Property & Spatial Information (Murwillumbah)

© Cardno (Qld) Pty Ltd All Rights Reserved 2008.
Copyright in the whole and every part of this drawing belongs to Cardno (Qld) Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or on any media, to any person other than by agreement with Cardno (Qld) Pty Ltd.

This document is produced by Cardno (Qld) Pty Ltd solely for the benefit of and use by the client in accordance with the terms of the retainer. Cardno (Qld) Pty Ltd does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by third party on the content of this document.

Rev: Orig. Date: 27 May 2008

Project No.: 3500/53

Peter Van Lieshout

CAD FILE: I:\3500-53\ACAD\Contaminated Land Assessment\Figure 2to8 - Historical Aerial Photography_v3.dwg
XREF's:

PRINT DATE: 11 June, 2008 - 8:42am

200 0 200 400 600 800 1000m
1:20,000

Scale 1:20,000(A4)

Aerial photographs sourced from Department of Lands NSW,
Land Administration & Management Property & Spatial Information (Murwillumbah)

© Cardno (Qld) Pty Ltd All Rights Reserved 2008.
Copyright in the whole and every part of this drawing belongs to Cardno (Qld) Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or on any media, to any person other than by agreement with Cardno (Qld) Pty Ltd.

This document is produced by Cardno (Qld) Pty Ltd solely for the benefit of and use by the client in accordance with the terms of the retainer. Cardno (Qld) Pty Ltd does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by third party on the content of this document.

LEGEND

Site boundary

FIGURE 8
AERIAL PHOTOGRAPH OF SITE - 2004

Rev: Orig. Date: 27 May 2008

Project No.: 3500/53

Peter Van Lieshout

CAD FILE: I:\3500-53\ACAD\Contaminated Land Assessment\Figure 2to8 - Historical Aerial Photography_v3.dwg
XREF's:

PRINT DATE: 11 June, 2008 - 8:42am

APPENDIX A

Contaminated Lands Investigation

Lot 3 on DP 771335
Lot 121 on DP134446
Lot 4 on DP 737440
Lot 3 on DP755714
Lot 34 on DP755714

TWEED SHIRE COUNCIL

Please Quote Council Ref: PF2970/2290
Your Ref No:
For Enquiries Please Contact: Mark Longbottom
Telephone: (02) **6670 2440**

24 January 2008

Catriona Sutcliffe
Cardno
PO Box 388
TOOWONG QLD 4066

Contaminated Lands Search Information Request
Lot 3 DP 771335, Kyogle Rd, Kunghur.

In reply to your enquiry to Council regarding the above referred property, Council would like to advise that a search of its records disclosed the following:

1. The radial search revealed there to be no known Dip Site within 200 metres of the subject property.
2. Data records reveal no known potentially contaminating activities on the subject site.
3. The topographical maps referenced below indicate no known potentially contaminating activities on the subject site.

It should be noted that for the final determination to be made regarding contamination of a lot, an assessment would be necessary in accordance with the NSW EPA document *'Guidelines for Consultants Reporting on Contaminated Sites 1997'.*

You may contact the NSW Department of Agriculture for any additional information in respect to the proximity of any known dip site to the subject property and any implications that any such known dip site may have in respect to the occupation of the subject property. NSW Agriculture maintains a web site for access to fundamental dip site information at www.agric.nsw.gov.au/tools/dipsite-locator.

Yours faithfully

Ross Cameron
Manager Building & Environmental Health Services

References:
Dataworks — LN 20439
File — PF2970/2290
Topographical Maps — Brays Creek 9541-111-S 1:25000 1975
Brays Creek 9541-111-S 1:25000 1986
Tyalgum 9541-111 1:50 000 1969

TWEED SHIRE COUNCIL

Please Quote Council Ref: DA2970/2265
Your Ref No:
For Enquiries Please Contact: Mark Longbottom
Telephone: (02) 6670 2440

24 January 2008

Catriona Sutcliffe
Cardno
PO Box 388
TOOWONG QLD 4066

Contaminated Lands Search Information Request
Lot 121 DP 134446, Kyogle Rd, Kunghur.

In reply to your enquiry to Council regarding the above referred property, Council would like to advise that a search of its records disclosed the following:

1. The radial search revealed there to be no known Dip Site within 200 metres of the subject property.
2. Data records reveal no known potentially contaminating activities on the subject site.
3. The topographical maps referenced below indicate no known potentially contaminating activities on the subject site.

It should be noted that for the final determination to be made regarding contamination of a lot, an assessment would be necessary in accordance with the NSW EPA document *'Guidelines for Consultants Reporting on Contaminated Sites 1997'*.

You may contact the NSW Department of Agriculture for any additional information in respect to the proximity of any known dip site to the subject property and any implications that any such known dip site may have in respect to the occupation of the subject property. NSW Agriculture maintains a web site for access to fundamental dip site information at www.agric.nsw.gov.au/tools/dipsite-locator.

Yours faithfully

Ross Cameron
Manager Building & Environmental Health Services

References:
Dataworks — LN 39731
File — DA2970/2265
Topographical Maps — Brays Creek 9541-111-S 1:25000 1975
Brays Creek 9541-111-S 1:25000 1986
Tyalgum 9541-111 1:50 000 1969

TWEED SHIRE COUNCIL

Please Quote Council Ref: PF2970/2327/3
Your Ref No:
For Enquiries Please Contact: Mark Longbottom
Telephone: (02) 6670 2440

24 January 2008

Catriona Sutcliffe
Cardno
PO Box 388
TOOWONG QLD 4066

Contaminated Lands Search Information Request
Lot 4 DP 737440, Kyogle Rd, Kunghur.

In reply to your enquiry to Council regarding the above referred property, Council would like to advise that a search of its records disclosed the following:

1. The radial search revealed there to be no known Dip Site within 200 metres of the subject property.
2. Data records reveal no known potentially contaminating activities on the subject site.
3. The topographical maps referenced below indicate no known potentially contaminating activities on the subject site.

It should be noted that for the final determination to be made regarding contamination of a lot, an assessment would be necessary in accordance with the NSW EPA document *'Guidelines for Consultants Reporting on Contaminated Sites 1997'*.

You may contact the NSW Department of Agriculture for any additional information in respect to the proximity of any known dip site to the subject property and any implications that any such known dip site may have in respect to the occupation of the subject property. NSW Agriculture maintains a web site for access to fundamental dip site information at www.agric.nsw.gov.au/tools/dipsite-locator.

Yours faithfully

Ross Cameron
Manager Building & Environmental Health Services

References:

Dataworks	LN 24156
File	PF2970/2327/3
Topographical Maps	Brays Creek 9541-111-S 1:25000 1975
	Brays Creek 9541-111-S 1:25000 1986
	Tyalgum 9541-111 1:50 000 1969

TWEED SHIRE COUNCIL

Please Quote Council Ref: LN: 20425, DA2970/2150
Your Ref No:
For Enquiries Please Contact: Mark Longbottom
Telephone: (02) **6670 2440**

5 June 2008

Cherie O'Sullivan
Cardno
PO Box 388
TOOWONG QLD 4066

Contaminated Lands Search Information Request
Lot 3 DP 755714, Kyogle Rd, Kunghur.

In reply to your enquiry to Council regarding the above referred property, Council would like to advise that a search of its records disclosed the following:

1. The radial search revealed there to be no known Dip Site within 200 metres of the subject property.

2. Data records reveal no known potentially contaminating activities on the subject site.

3. The topographical maps and aerial photography referenced below indicate no known potentially contaminating activities on the subject site.

It should be noted that for the final determination to be made regarding contamination of a lot, an assessment would be necessary in accordance with the NSW EPA document *'Guidelines for Consultants Reporting on Contaminated Sites 1997'*.

You may contact the NSW Department of Agriculture for any additional information in respect to the proximity of any known dip site to the subject property and any implications that any such known dip site may have in respect to the occupation of the subject property. NSW Agriculture maintains a web site for access to fundamental dip site information at www.agric.nsw.gov.au/tools/dipsite-locator.

Yours faithfully

Ross Cameron
Manager Building & Environmental Health Services

References:

Dataworks	LN 20425
File	DA2970/2150
Topographical Maps	Brays Creek 9541-3-S 1:25000 1986 Brays Creek 9541-3S 1:25000 2002 Tyalgum 9541-111 1:50 000 1969
Aerials	2007, 2004, 2001, 2000 and 1977 (10/12/77 run 2)

TWEED SHIRE COUNCIL

Please Quote Council Ref: LN: 20817, DA2970/3400
Your Ref No:
For Enquiries Please Contact: Mark Longbottom
Telephone: (02) **6670 2440**

5 June 2008

Cherie O'Sullivan
Cardno
PO Box 388
TOOWONG QLD 4066

Contaminated Lands Search Information Request
Lot 34 DP 755714, Kyogle Rd, Kunghur.

In reply to your enquiry to Council regarding the above referred property, Council would like to advise that a search of its records disclosed the following:

1. The radial search revealed there to be no known Dip Site within 200 metres of the subject property.

2. Data records reveal no known potentially contaminating activities on the subject site.

3. The topographical maps and aerial photography referenced below indicate no known potentially contaminating activities on the subject site.

It should be noted that for the final determination to be made regarding contamination of a lot, an assessment would be necessary in accordance with the NSW EPA document *'Guidelines for Consultants Reporting on Contaminated Sites 1997'.*

You may contact the NSW Department of Agriculture for any additional information in respect to the proximity of any known dip site to the subject property and any implications that any such known dip site may have in respect to the occupation of the subject property. NSW Agriculture maintains a web site for access to fundamental dip site information at www.agric.nsw.gov.au/tools/dipsite-locator.

Yours faithfully

Ross Cameron
Manager Building & Environmental Health Services

References:

Dataworks	LN 20817
File	DA2970/3400
Topographical Maps	Brays Creek 9541-3-S 1:25000 1986 Brays Creek 9541-3S 1:25000 2002 Tyalgum 9541-111 1:50 000 1969
Aerials	2007, 2004, 2001, 2000 and 1977 (10/12/77 run 2)

APPENDIX B

Planning Certificates under Section 149 of the EPA Act

Lot 3 on DP 771335
Lot 121 on DP134446
Lot 4 on DP 737440
Lot 3 on DP755714
Lot 34 on DP755714

TWEED SHIRE COUNCIL

PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Applicant: Ms C O'Sullivan
PO Box 388
TOOWONG QLD 4066

Certificate No: 149C08/0147
Date of Issue: 18/01/2008
Receipt No: 345344
Fee Paid: $141.00

Your Reference: 3500/53

Property Description: Lot 4 DP 737440, No. 2924 Kyogle Road Kunghur

CIVIC AND CULTURAL CENTRE, MURWILLUMBAH
PO BOX 816, MURWILLUMBAH NSW 2484
TELEPHONE (02) 6670 2400 FAX (02) 6670 2429

PLEASE ADDRESS ALL COMMUNICATIONS TO THE GENERAL MANAGER

ABN 90 178 732 496
www.tweed.nsw.gov.au

TABLE OF CONTENTS

1(1)(a) *As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:* 4

1(1)(b) *As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:* 4

1(1)(c) *As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:* 4

1(2)(a) *As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to planningNSW:* 4

1(2)(b) *As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to planningNSW:* 4

1(3)(a) *As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to planningNSW:* 5

1(3)(b) *As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to planningNSW:* 8

2(a-d) *Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:* 8

2(e) *Minimum Standards for the Erection of a Dwelling-House:* 10

2(f) *Critical Habitat:* 10

2(g) *Conservation Area:* 10

2(h) *Item of Environmental Heritage:* 10

2(i) *Clauses under Tweed Local Environmental Plan 2000* 10

4 *Coastal Protection:* 10

5 *Mine Subsidence:* 10

6 *Road Widening/Road Realignment:* 10

7(i) *Land Slip:* 10

7(ii) *Bushfire:* 10

7(iii) *Tidal Inundation:* 11

7(iv) *Subsidence:* 11

7(v) *Acid Sulfate Soils:* 11

7(vi) *Any Other Risk:* 11

7A. *Flood related development controls information* 11

8 *Land Reserved for Acquisition:* 11

9 *Contributions Plans:* 12

10 *Matters arising under the Contaminated Land Management Act, 1997:* 12

10(a) *Investigation Area or Remediation Site:* 12

10(b) *Investigation or Remediation Order:* 12

10(c) *Voluntary Investigation or Remediation Proposal:* 12

10(d) *Site Audit Statement:* 12

11 *Bush Fire Prone Land* 12

12. *Property Vegetation Plans* 12

13. Orders under Trees (Disputes between Neighbours) Act 2006 13
14. Council Resolutions/Building Heights 13
SPECIAL NOTATIONS 13
149(5) Information 14

1(1)(a) As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:

Tweed Local Environmental Plan 2000 (TLEP2000)

1(1)(b) As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:

Draft Local Environmental Plan Amendment No 20 - Kings Forest / Shirewide

Draft Local Environmental Plan Amendment No 21 - Tweed Vegetation Management Plan

Draft Local Environmental Plan Amendment No 70 - DCP 40 Exempt & Complying Development - Date Change

Draft Local Environmental Plan Amendment No 76 - Tweed Shire Community Based Heritage Study

1(1)(c) As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:

A 1 - Multi - Dwelling Housing and Tourist Accommodation

A 2 - Site Access and Parking Code

A 3 - Development of Flood Liable Land

A 4 - Advertising Signs Code

A 5 - Subdivision Manual

A 6 - Biting Midge and Mosquito Control

A 7 - Child Care Centres

A 8 - Brothels Policy

A 9 - Energy Smart Homes Policy

A10 - Exempt and Complying Development

A11 - Public Notification of Development Proposals

A12 - Dual Occupancy Controls

A13 - Socio - Economic Impact Assessment

A14 - Cut and Fill on Residential Land

1(2)(a) As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to the Department of Planning:

North Coast Regional Environmental Plan 1988.

1(2)(b) As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to the Department of Planning:

There are no draft regional environmental plans currently applying to the subject land.

1(3)(a) **As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to the Department of Planning:**

State Environmental Planning Policy No. 1 - Development Standards - Gazetted 17 October 1980

The Policy sets out the general principle that a development standard contained within an environmental planning instrument may be varied where strict compliance can be shown to be unreasonable or varied where strict compliance can be shown to be unreasonable or would tend to hinder the attainment of the objects specified in the Environmental Planning and Assessment Act, 1979.

State Environmental Planning Policy No. 4 - Development Without Consent (Amendment No. 7) - Gazetted 4 December 1981

This Policy allows development for the purpose of bushfire hazard reduction to be carried out on land to which the SEPP No. 4 applies without consent if the development is consistent with a plan of operations prepared under the Bush Fires Act 1949 and does not include clearing of wetlands identified in SEPP No. 14.

State Environmental Planning Policy No. 6 - Number of Storeys in a Building - Gazetted 10 December 1982

To provide a standard determination regarding the height of a building where the height is controlled by reference to the number of storeys.

State Environmental Planning Policy No. 8 - Surplus Public Land - Gazetted 8 April 1983

To promote and co-ordinate the orderly and economic use of surplus public land and provide for its development to be considered from a State rather than local perspective.

State Environmental Planning Policy No. 9 - Group Homes - Gazetted 7 October 1983

This policy controls the development of Group Homes on all land where dwellings are allowed.

State Environmental Planning Policy No. 11 - Traffic Generating Developments - Gazetted 9 August 1985

To ensure that applications for specific types of development are referred to the Traffic Authority for its comments prior to determination.

State Environmental Planning Policy No. 15 - Rural Landsharing Communities - Gazetted 9 April 1998

State Environmental Planning Policy No. 15 - Rural Landsharing Communities aims to encourage and facilitate development of rural landsharing communities to collectively manage land in an environmentally sensitive and sustainable manner and to provide for low cost housing. The Policy establishes criteria for rural landsharing community development, matters for Council consideration, environmental considerations, site analysis and management requirements for development proposed under the Policy.

State Environmental Planning Policy No. 16 - Tertiary Institutions - Gazetted 20 December 1985

To permit any kind of tertiary institution on land zoned for a specific kind of tertiary institution.

State Environmental Planning Policy No. 21 - Caravan Parks - Gazetted 24 April 1992

To regulate the use and development of caravan parks, and in certain instances, to enable their subdivision for lease purposes.

State Environmental Planning Policy No. 22 - Shops and Commercial Premises - Gazetted 9 January 1987

The policy allows with consent of council, a change of use from a shop or commercial premises or

alternatively a commercial premises to a shop or another kind of commercial premises, where the new use is prohibited under an environmental planning instrument.

State Environmental Planning Policy No. 27 - Prison Sites - Gazetted 20 January 1989

To facilitate the erection and use of buildings for the purpose of prisons.

State Environmental Planning Policy No. 30 - Cattle Feedlots and Piggeries - Gazetted 8 December 1989

To ensure that all feedlots with a capacity of greater than 400 head are dealt with in a consistent manner, the Policy provides all councils with a consent role. Where development consent is required, proposals for cattle feedlots in excess of 400 head are designated development and require the provision of an environmental impact statement to accompany a development application.

State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land) - Gazetted 15 November 1991

To provide for redevelopment of urban land which is no longer required for the purpose for which it is currently zoned or used. Its purpose is to ensure that sites which have the potential to contribute to urban consolidation are made available for multi-unit housing efficiently and without delay.

State Environmental Planning Policy No. 33 - Hazardous and Offensive Development - Gazetted 13 March 1992

To provide a mechanism for the consideration of applications for hazardous and offensive industries, by ensuring that the consent authority has sufficient information to assess any such applications, to impose conditions to reduce or minimise any adverse impacts and to require advertising of applications for such developments.

State Environmental Planning Policy No. 34 - Major Employment Generating/Industrial Development - Gazetted 26 March 1993

To ensure an efficient and consistent approach to the determination of major employment generating industrial developments (where the development would result in at least 100 post-construction full time jobs or 20 in the case of intensive livestock operations, or have a capital investment value of $20 million or more, excluding land). This Policy provides that the Minister for Planning is the consent authority for such developments.

State Environmental Planning Policy No. 35 - Maintenance Dredging of Tidal Waterways - Gazetted 24 September 1993

This Policy provides a mechanism which enables the maintenance dredging of tidal waterways by public authorities, to be carried in a timely, cost effective and environmentally responsible manner in response to changing conditions in those waterways.

State Environmental Planning Policy No. 36 - Manufactured Homes Estate - Gazetted 13 July 1993

This policy:

(i) defines where Manufactured Homes Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates;

(ii) enables with development consent, the subdivision of MHE provided such subdivision complies with the provision of the Local Government (Manufactured Homes Estates) Regulation 1993.

State Environmental Planning Policy No. 44 - Koala Habitat Protection - Gazetted 6 January 1995

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas, to ensure a permanent free-living population over their

present range and reverse the current trend of koala population decline by:

(a) requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat; and

(b) encouraging the identification of areas of core koala habitat; and

(c) encouraging the inclusion of areas of core koala habitat in environment protection zones.

State Environmental Planning Policy No. 48 - Major Putrescible Landfill Sites - Gazetted 29 December 1995

To ensure a consistency of approach in the assessment of such development proposals, to ensure that the significance of any proposal to the State is considered, and to ensure that the use of landfill sites as a means of waste is weighed against other waste management and waste disposal alternatives.

State Environmental Planning Policy No. 50 - Canal Estate Development - Gazetted 30 October 1997

This Policy provides that where the Policy applies a person shall not carry out canal estate development as defined in the Policy.

State Environmental Planning Policy No. 55 - Remediation of Land - Gazetted 28 August 1998

This Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. The policy applies to the whole state, to ensure that remediation is permissible development and is always carried out to a high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

State Environmental Planning Policy No. 62 - Sustainable Aquaculture - Gazetted 23 August 2000

To encourage the sustainable expansion of the aquaculture industry in NSW. The SEPP implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture developments as designated development only where there are high potential environmental risks.

State Environmental Planning Policy No. 64 - Advertising and Signage - Gazetted 16 March 2001

This Policy provides new controls that will improve the quality of outdoor advertising and the environment.

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development - Gazetted 26 July 2002

This policy aims to improve the design quality of residential flat development in New South Wales. This policy applies to the whole of the state in respect of the erection of new residential flat buildings, the substantial redevelopment or refurbishment of an existing residential flat building, or conversion of an existing building to a residential flat building.

A residential flat building for the purpose of the policy is defined as a building of three or more storeys (not including levels that protrude less than 1.2 m above ground level that are devoted to car parking and storage) and four or more self-contained dwelling units. It does not apply to buildings classified as Class 1a or 1b under the Building Code of Australia.

The policy provides design quality principles that must be satisfied, and the implementation of design review panels that provide independent advice to consent authorities and applicants on residential flat development proposals, development applications, draft Local Environmental Plans, Development Control Plans, Master Plans and Planning Policy documents.

State Environmental Planning Policy (Seniors Living) 2004 - Gazetted 31 March 2004

State Environmental Planning Policy (Seniors Living) 2004 aims to increase availability and to provide a wider choice of residential accommodation for older people or people with a disability. The Policy establishes matters for consideration, development standards and design requirements for development proposed under the Policy.

State Environmental Planning Policy (Major Projects) 2005 - Gazetted 25 May 2005

State Environmental Planning Policy (Major Projects) 2005 aims: -

(a) to identify development to which the development assessment and approval process under Part 3A of the Act applies,

(b) to identify any such development that is a critical infrastructure project for the purposes of Part 3A of the Act,

(c) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State,

(d) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes,

(e) to rationalise and clarify the provisions making the Minister the approval authority for development and sites of State significance, and to keep those provisions under review so that the approval process is devolved to councils when State planning objectives have been achieved.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 – Gazetted 16 February 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 aims to provide for the proper management and development of mining, petroleum production and extractive material resources; to facilitate the orderly use and development of areas where the resources are located; and, to establish appropriate planning controls to encourage sustainable management of these resources.

1(3)(b) As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to the Department of Planning:

There are no such draft State environmental planning policies applying to the subject land.

2(a-d) Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:

Zone 1 (a) Rural
Zone objectives
Primary objectives
* to enable the ecologically sustainable development of land that is suitable primarily for agricultural or natural resource utilisation purposes and associated development. * to protect rural character and amenity.
Secondary objectives
* to enable other types of development that rely on the rural or natural values of the land such as agri- and eco-tourism. * to provide for development that is not suitable in or near urban areas. * to prevent the unnecessary fragmentation or development of land which may be needed for long-term urban

expansion.
* to provide non-urban breaks between settlements to give a physical and community identity to each settlement.

Development within the zone

In Zone 1 (a) development for the purpose of the following is:

Item 1 allowed without consent:

* agriculture
* environmental facilities
* forestry

Item 2 allowed only with consent:

* bed and breakfast
* dwelling houses if each is on an allotment of at least 40 hectares or on an allotment referred to in clause 57
* multi-dwelling housing if:
  (a) not more than two dwellings are involved, and
  (b) they are attached, and
  (c) they are on an allotment of at least 40 hectares or an allotment referred to in clause 57.
* any other buildings, works, places or land uses not included in Item 1, 3 or 4

Item 3 allowed only with consent and must satisfy the provisions of clause 8 (2)

* boat repair and servicing facilities
* car parks
* child care centres
* educational establishments
* Heliports
* Hotels
* Institutions
* light industries
* Markets
* offensive or hazardous industries
* places of public worship
* service stations
* Transport terminals (other than airline terminals)
* boating facilities
* caravan parks (other than camping grounds) if connected to a reticulated sewerage system
* clubs
* helipads
* hospitals
* housing for older people or people with disabilities
* junkyards
* marinas
* motels
* places of assembly
* public buildings
* storage units

Item 4 prohibited:

* airline terminals
* boat showrooms
* bulky goods retailing
* caravan parks (other than camping grounds) if not connected to a reticulated sewerage system
* display homes
* industries (other than home industries, light industries, offensive or hazardous industries, rural industries or industries directly associated with or dependent on extractive industries)
* manufactured home estates
* multi-dwelling housing not included in Item 2
* restricted premises
* boarding-houses
* brothels
* car repair stations
* commercial premises
* dwelling houses not included in Item 2
* integrated housing
* motor showrooms
* professional consulting rooms
* roadside stalls if requiring direct access to an RTA classified road

* shops (other than general stores)

2(e) Minimum Standards for the Erection of a Dwelling-House:

See land use table listed in Items 2(a-d) above. If minimum standard not specified, no development standard applies.

2(f) Critical Habitat:

The subject land is not identified as including or comprising critical habitat as prescribed in the Threatened Species Conservation Act 1995 or (subject to section 5c) Part 7A of the Fisheries Management Act 1994.

2(g) Conservation Area:

The subject land is not within a conservation area identified within the TLEP 2000.

2(h) Item of Environmental Heritage:

The subject land does not contain nor constitute an item of environmental heritage as listed in Schedule 2 of the TLEP 2000.

2(i) Clauses under Tweed Local Environmental Plan 2000

The subject land is not affected by any special clauses in Tweed Local Environmental Plan 2000.

4 Coastal Protection:

The Council has not been notified by the Department of Public Works that the land is affected by the operation of sections 38 or 39 of the Coastal Protection Act, 1979.

5 Mine Subsidence:

The subject land is not within an area proclaimed to be a Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6 Road Widening/Road Realignment:

The subject land is not affected by any road widening or realignment proposal under either Division 2 or Part 3 of the Roads Act, 1993, any environmental planning instrument or any resolution of the Council.

7(i) Land Slip:

The council has not adopted a policy to restrict development of the subject land because of the likelihood of land slip. Geotechnical investigations may be required prior to development of some sites, depending upon the characteristics of the site and the nature of development proposed.

7(ii) Bushfire:

The Council has adopted a policy to restrict development of the subject land because of the likelihood of bushfire hazard (see Item 11 below).

7(iii) Tidal Inundation:

Council has no records that indicate that the land is affected by tidal inundation. Accordingly, the Council has not adopted a policy to restrict development of the land in respect of tidal inundation.

7(iv) Subsidence:

Council records do not indicate that the land is affected by subsidence. Accordingly, the Council has not adopted a policy to restrict development of the land in respect to subsidence.

7(v) Acid Sulfate Soils:

The subject land is not identified as being affected by acid sulfate soils on Council's "Acid Sulfate Soil Planning Map".

7(vi) Any Other Risk:

Council has adopted a policy to restrict development of the subject land due to the following other identified risk: -

- ***Cattle Tick Dip Sites:***
  Council records do not indicate that the land is or has been used as a Cattle Tick Dip Site. Accordingly, no policy has been adopted to restrict development of the land in respect to cattle tick dip sites.

- ***Contamination:***
  Council has not by resolution, adopted a policy which may restrict development of the subject land in respect of potential contamination of that land.
  Due to the historical nature of land uses in the Tweed Shire, there is a possibility that land previously used for such purposes as agriculture, industrial, residential, commercial or similar uses would contain contamination. Enquiries should be made at the Council for any information held in their files and enquiries should also be made with all other relevant authorities. Tweed Shire Council has not yet prepared any detailed information as to whether this land is contaminated land.

7A. Flood related development controls information

(1) Council records indicate that the land is not affected by a 1:100 year flood event and therefore the requirements of Development Control Plan Section A3 do not apply in this instance.

Council has adopted the Tweed Valley Floodplain Risk Management Study (and Draft Plan) 2005 - Part 2 Planning Controls for High Flow Areas dated August 2006. The subject land is not affected by this Policy.

(2) The subject land is not affected by any flooding under Council's Development Control Plan A3 – Development of Flood Liable Land.

8 Land Reserved for Acquisition:

The subject land is not identified as being subject to acquisition by a public authority (as referred to in section 27 of the EP&A Act 1979) under the provisions of any environmental planning instrument deemed or draft environmental planning instrument.

9 Contributions Plans:

As at the date of this certificate, the following contributions plan(s) apply (or may apply depending upon proposed future development) to the subject land:

Section 94 Plan No 4 - Tweed Road Contribution Plan

Section 94 Plan No 5 - Open Space Contributions

Section 94 Plan No 11 - Library Facilities in Tweed Shire

Section 94 Plan No 12 - Bus Shelters

Section 94 Plan No 13 - Cemetery/Crematorium Facilities at Eviron Road, Duranbah

Section 94 Plan No 16 - Emergency Facilities (Surf Lifesaving)

Section 94 Plan No 18 - Council Administration Offices and Technical Support Facilities

Section 94 Plan No 26 - Regional Open Space

10 Matters arising under the Contaminated Land Management Act, 1997:

10(a) Investigation Area or Remediation Site:

As at the date of this certificate Council is not aware/has not been notified that the subject land is within land declared to be an investigation area or remediation site under Part 3 of the CLM Act 1997.

10(b) Investigation or Remediation Order:

As at the date of this certificate Council is not aware/has not been notified that the subject land is subject to an investigation order or a remediation order within the meaning of the CLM Act 1997.

10(c) Voluntary Investigation or Remediation Proposal:

As at the date of this certificate Council is not aware/has not been notified that the subject land is the subject of a voluntary investigation or remediation proposal that is subject of the Environment Protection Authority's agreement under section 19 or 26 of the CLM Act 1997.

10(d) Site Audit Statement:

Council is not aware that the subject land is subject of a site audit within the meaning of Part 4 of the CLM Act 1997. Council has not been notified/provided with a copy of any site audit statement pertaining to the subject land.

11 Bush Fire Prone Land

The subject land is identified as bush fire prone land in accordance with the Bush Fire Prone Land map certified in accordance with Section 146(2) of the Environmental Planning and Assessment Act, 1979, as amended.

12. Property Vegetation Plans

The subject land is not affected by a Property Vegetation Plan under the Native Vegetation Act 2003.

13. Orders under Trees (Disputes between Neighbours) Act 2006

Council has not been notified of any Order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14. Council Resolutions/Building Heights

The land is affected by a height limitation of 3 storeys under Tweed Local Environmental Plan 2000.

SPECIAL NOTATIONS

The land is identified as Other Rural Land (Farmland Protection Project) on the map referred to in Section 117(2) Direction No. 14 dated 30 September 2005.

149(5) Information

1. No development consents have been issued within the last (5) years.

2. Council has resolved to prepare Draft Local Environmental Plan Amendment No. 74 (Restoration of Lost Dwelling Entitlement) relating to the subject land.

   Council has resolved to prepare Draft Local Environmental Plan Amendment No. 80 (Clause 58 in Schedule 2) relating to the subject land.

   Council has resolved to prepare Draft Local Environmental Plan Amendment No 42 - Rural Settlement Strategy

3. The subject land is not affected by Council's Tree Preservation Order.

MIKE RAYNER
GENERAL MANAGER
Per .....

TWEED SHIRE COUNCIL

PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Applicant: Ms C O'Sullivan
PO Box 388
TOOWONG QLD 4066

Certificate No: 149C08/0116
Date of Issue: 18/01/2008
Receipt No: 344901
Fee Paid: $141.01

Your Reference: 3500/53

Property Description: Lot 121 DP 134446, No. 2954 Kyogle Road Kunghur

CIVIC AND CULTURAL CENTRE, MURWILLUMBAH

PO BOX 816, MURWILLUMBAH NSW 2484
TELEPHONE (02) 6670 2400 FAX (02) 6670 2429

PLEASE ADDRESS ALL COMMUNICATIONS TO THE GENERAL MANAGER

ABN 90 178 732 496
www.tweed.nsw.gov.au

TABLE OF CONTENTS

1(1)(a)	*As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:*	4
1(1)(b)	*As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:*	4
1(1)(c)	*As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:*	4
1(2)(a)	*As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to planningNSW:*	4
1(2)(b)	*As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to planningNSW:*	5
1(3)(a)	*As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to planningNSW:*	5
1(3)(b)	*As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to planningNSW:*	8
2(a-d)	*Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:*	8
2(e)	*Minimum Standards for the Erection of a Dwelling-House:*	10
2(f)	*Critical Habitat:*	10
2(g)	*Conservation Area:*	11
2(h)	*Item of Environmental Heritage:*	11
2(i)	*Clauses under Tweed Local Environmental Plan 2000*	11
4	*Coastal Protection:*	11
5	*Mine Subsidence:*	11
6	*Road Widening/Road Realignment:*	11
7(i)	*Land Slip:*	11
7(ii)	*Bushfire:*	12
7(iii)	*Tidal Inundation:*	12
7(iv)	*Subsidence:*	12
7(v)	*Acid Sulfate Soils:*	12
7(vi)	*Any Other Risk:*	12
7A.	*Flood related development controls information*	13
8	*Land Reserved for Acquisition:*	13
9	*Contributions Plans:*	13
10	*Matters arising under the Contaminated Land Management Act, 1997:*	14
10(a)	*Investigation Area or Remediation Site:*	14
10(b)	*Investigation or Remediation Order:*	14
10(c)	*Voluntary Investigation or Remediation Proposal:*	14
10(d)	*Site Audit Statement:*	14
11	*Bush Fire Prone Land*	14
12.	*Property Vegetation Plans*	14

13. Orders under Trees (Disputes between Neighbours) Act 2006 14

14. Council Resolutions/Building Heights 14

SPECIAL NOTATIONS 14

149(5) Information 15

1(1)(a) As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:

Tweed Local Environmental Plan 2000 (TLEP2000)

1(1)(b) As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:

Draft Local Environmental Plan Amendment No 20 - Kings Forest / Shirewide

Draft Local Environmental Plan Amendment No 21 - Tweed Vegetation Management Plan

Draft Local Environmental Plan Amendment No 70 - DCP 40 Exempt & Complying Development - Date Change

Draft Local Environmental Plan Amendment No 76 - Tweed Shire Community Based Heritage Study

1(1)(c) As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:

A 1 - Multi - Dwelling Housing and Tourist Accommodation

A 2 - Site Access and Parking Code

A 3 - Development of Flood Liable Land

A 4 - Advertising Signs Code

A 5 - Subdivision Manual

A 6 - Biting Midge and Mosquito Control

A 7 - Child Care Centres

A 8 - Brothels Policy

A 9 - Energy Smart Homes Policy

A10 - Exempt and Complying Development

A11 - Public Notification of Development Proposals

A12 - Dual Occupancy Controls

A13 - Socio - Economic Impact Assessment

A14 - Cut and Fill on Residential Land

1(2)(a) As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to the Department of Planning:

North Coast Regional Environmental Plan 1988.

1(2)(b) As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to the Department of Planning:

There are no draft regional environmental plans currently applying to the subject land.

1(3)(a) As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to the Department of Planning:

State Environmental Planning Policy No. 1 - Development Standards - Gazetted 17 October 1980

The Policy sets out the general principle that a development standard contained within an environmental planning instrument may be varied where strict compliance can be shown to be unreasonable or varied where strict compliance can be shown to be unreasonable or would tend to hinder the attainment of the objects specified in the Environmental Planning and Assessment Act, 1979.

State Environmental Planning Policy No. 4 - Development Without Consent (Amendment No. 7) - Gazetted 4 December 1981

This Policy allows development for the purpose of bushfire hazard reduction to be carried out on land to which the SEPP No. 4 applies without consent if the development is consistent with a plan of operations prepared under the Bush Fires Act 1949 and does not include clearing of wetlands identified in SEPP No. 14.

State Environmental Planning Policy No. 6 - Number of Storeys in a Building - Gazetted 10 December 1982

To provide a standard determination regarding the height of a building where the height is controlled by reference to the number of storeys.

State Environmental Planning Policy No. 8 - Surplus Public Land - Gazetted 8 April 1983

To promote and co-ordinate the orderly and economic use of surplus public land and provide for its development to be considered from a State rather than local perspective.

State Environmental Planning Policy No. 9 - Group Homes - Gazetted 7 October 1983

This policy controls the development of Group Homes on all land where dwellings are allowed.

State Environmental Planning Policy No. 11 - Traffic Generating Developments - Gazetted 9 August 1985

To ensure that applications for specific types of development are referred to the Traffic Authority for its comments prior to determination.

State Environmental Planning Policy No. 15 - Rural Landsharing Communities - Gazetted 9 April 1998

State Environmental Planning Policy No. 15 - Rural Landsharing Communities aims to encourage and facilitate development of rural landsharing communities to collectively manage land in an environmentally sensitive and sustainable manner and to provide for low cost housing. The Policy establishes criteria for rural landsharing community development, matters for Council consideration, environmental considerations, site analysis and management requirements for development proposed under the Policy.

State Environmental Planning Policy No. 16 - Tertiary Institutions - Gazetted 20 December 1985

To permit any kind of tertiary institution on land zoned for a specific kind of tertiary institution.

State Environmental Planning Policy No. 21 - Caravan Parks - Gazetted 24 April 1992

To regulate the use and development of caravan parks, and in certain instances, to enable their subdivision for lease purposes.

State Environmental Planning Policy No. 22 - Shops and Commercial Premises - Gazetted 9 January 1987

The policy allows with consent of council, a change of use from a shop or commercial premises or alternatively a commercial premises to a shop or another kind of commercial premises, where the new use is prohibited under an environmental planning instrument.

State Environmental Planning Policy No. 27 - Prison Sites - Gazetted 20 January 1989

To facilitate the erection and use of buildings for the purpose of prisons.

State Environmental Planning Policy No. 30 - Cattle Feedlots and Piggeries - Gazetted 8 December 1989

To ensure that all feedlots with a capacity of greater than 400 head are dealt with in a consistent manner, the Policy provides all councils with a consent role. Where development consent is required, proposals for cattle feedlots in excess of 400 head are designated development and require the provision of an environmental impact statement to accompany a development application.

State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land) - Gazetted 15 November 1991

To provide for redevelopment of urban land which is no longer required for the purpose for which it is currently zoned or used. Its purpose is to ensure that sites which have the potential to contribute to urban consolidation are made available for multi-unit housing efficiently and without delay.

State Environmental Planning Policy No. 33 - Hazardous and Offensive Development - Gazetted 13 March 1992

To provide a mechanism for the consideration of applications for hazardous and offensive industries, by ensuring that the consent authority has sufficient information to assess any such applications, to impose conditions to reduce or minimise any adverse impacts and to require advertising of applications for such developments.

State Environmental Planning Policy No. 34 - Major Employment Generating/Industrial Development - Gazetted 26 March 1993

To ensure an efficient and consistent approach to the determination of major employment generating industrial developments (where the development would result in at least 100 post-construction full time jobs or 20 in the case of intensive livestock operations, or have a capital investment value of $20 million or more, excluding land). This Policy provides that the Minister for Planning is the consent authority for such developments.

State Environmental Planning Policy No. 35 - Maintenance Dredging of Tidal Waterways - Gazetted 24 September 1993

This Policy provides a mechanism which enables the maintenance dredging of tidal waterways by public authorities, to be carried in a timely, cost effective and environmentally responsible manner in response to changing conditions in those waterways.

State Environmental Planning Policy No. 36 - Manufactured Homes Estate - Gazetted 13 July 1993

This policy:

(i) defines where Manufactured Homes Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates;

(ii) enables with development consent, the subdivision of MHE provided such subdivision

complies with the provision of the Local Government (Manufactured Homes Estates) Regulation 1993.

State Environmental Planning Policy No. 44 - Koala Habitat Protection - Gazetted 6 January 1995

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas, to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline by:

(a) requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat; and

(b) encouraging the identification of areas of core koala habitat; and

(c) encouraging the inclusion of areas of core koala habitat in environment protection zones.

State Environmental Planning Policy No. 48 - Major Putrescible Landfill Sites - Gazetted 29 December 1995

To ensure a consistency of approach in the assessment of such development proposals, to ensure that the significance of any proposal to the State is considered, and to ensure that the use of landfill sites as a means of waste is weighed against other waste management and waste disposal alternatives.

State Environmental Planning Policy No. 50 - Canal Estate Development - Gazetted 30 October 1997

This Policy provides that where the Policy applies a person shall not carry out canal estate development as defined in the Policy.

State Environmental Planning Policy No. 55 - Remediation of Land - Gazetted 28 August 1998

This Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. The policy applies to the whole state, to ensure that remediation is permissible development and is always carried out to a high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

State Environmental Planning Policy No. 62 - Sustainable Aquaculture - Gazetted 23 August 2000

To encourage the sustainable expansion of the aquaculture industry in NSW. The SEPP implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture developments as designated development only where there are high potential environmental risks.

State Environmental Planning Policy No. 64 - Advertising and Signage - Gazetted 16 March 2001

This Policy provides new controls that will improve the quality of outdoor advertising and the environment.

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development - Gazetted 26 July 2002

This policy aims to improve the design quality of residential flat development in New South Wales. This policy applies to the whole of the state in respect of the erection of new residential flat buildings, the substantial redevelopment or refurbishment of an existing residential flat building, or conversion of an existing building to a residential flat building.

A residential flat building for the purpose of the policy is defined as a building of three or more storeys (not including levels that protrude less than 1.2 m above ground level that are devoted to car parking and storage) and four or more self-contained dwelling units. It does not apply to

buildings classified as Class 1a or 1b under the Building Code of Australia.

The policy provides design quality principles that must be satisfied, and the implementation of design review panels that provide independent advice to consent authorities and applicants on residential flat development proposals, development applications, draft Local Environmental Plans, Development Control Plans, Master Plans and Planning Policy documents.

State Environmental Planning Policy (Seniors Living) 2004 - Gazetted 31 March 2004

State Environmental Planning Policy (Seniors Living) 2004 aims to increase availability and to provide a wider choice of residential accommodation for older people or people with a disability. The Policy establishes matters for consideration, development standards and design requirements for development proposed under the Policy.

State Environmental Planning Policy (Major Projects) 2005 - Gazetted 25 May 2005

State Environmental Planning Policy (Major Projects) 2005 aims: -

(a) to identify development to which the development assessment and approval process under Part 3A of the Act applies,

(b) to identify any such development that is a critical infrastructure project for the purposes of Part 3A of the Act,

(c) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State,

(d) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes,

(e) to rationalise and clarify the provisions making the Minister the approval authority for development and sites of State significance, and to keep those provisions under review so that the approval process is devolved to councils when State planning objectives have been achieved.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 – Gazetted 16 February 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 aims to provide for the proper management and development of mining, petroleum production and extractive material resources; to facilitate the orderly use and development of areas where the resources are located; and, to establish appropriate planning controls to encourage sustainable management of these resources.

1(3)(b) As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to the Department of Planning:

There are no such draft State environmental planning policies applying to the subject land.

2(a-d) Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:

Zone 2 (d) Village
Zone objectives
Primary objective
* to provide for residential development and a full range of services and facilities traditionally associated with a

rural village which is of a design and scale that makes a positive contribution to the character of the village.

Development within the zone

In Zone 2 (d) development for the purpose of the following is:

Item 1 allowed without consent:

* environmental facilities

Item 2 allowed only with consent:

* bed and breakfast
* dwelling houses if each is on an allotment of at least 450m2
* rural workers' dwellings
* any other buildings, works, places or land uses not included in Item 1, 3 or 4

Item 3 allowed only with consent and must satisfy the provisions of clause 8 (2):

* Forestry
* Sawmills
* helipads
* stock and sale yards

Item 4 prohibited:

* Abattoirs
* animal establishments
* display homes if adjoining an RTA classified road
* Heliports
* liquid fuel depots
* offensive or hazardous industries
* restricted premises
* airline terminals
* brothels
* extractive industries
* junkyards
* mines
* recreation vehicle areas
* tourist resorts

Zone 1 (a) Rural

Zone objectives

Primary objectives

* to enable the ecologically sustainable development of land that is suitable primarily for agricultural or natural resource utilisation purposes and associated development.
* to protect rural character and amenity.

Secondary objectives

* to enable other types of development that rely on the rural or natural values of the land such as agri- and eco-tourism.
* to provide for development that is not suitable in or near urban areas.
* to prevent the unnecessary fragmentation or development of land which may be needed for long-term urban expansion.
* to provide non-urban breaks between settlements to give a physical and community identity to each settlement.

Development within the zone

In Zone 1 (a) development for the purpose of the following is:

Item 1 allowed without consent:

* agriculture
* environmental facilities
* forestry

Item 2 allowed only with consent:

* bed and breakfast
* dwelling houses if each is on an allotment of at least 40 hectares or on an allotment referred to in clause 57
* multi-dwelling housing if:
  - (a) not more than two dwellings are involved, and
  - (b) they are attached, and
  - (c) they are on an allotment of at least 40 hectares or an allotment referred to in clause 57
* any other buildings, works, places or land uses not included in Item 1, 3 or 4

Item 3 allowed only with consent and must satisfy the provisions of clause 8 (2)

* boat repair and servicing facilities
* car parks
* child care centres
* educational establishments
* Heliports
* Hotels
* Institutions
* light industries
* Markets
* offensive or hazardous industries
* places of public worship
* service stations
* Transport terminals (other than airline terminals)
* boating facilities
* caravan parks (other than camping grounds) if connected to a reticulated sewerage system
* clubs
* helipads
* hospitals
* housing for older people or people with disabilities
* junkyards
* marinas
* motels
* places of assembly
* public buildings
* storage units

Item 4 prohibited:

* airline terminals
* boat showrooms
* bulky goods retailing
* caravan parks (other than camping grounds) if not connected to a reticulated sewerage system
* display homes
* industries (other than home industries, light industries, offensive or hazardous industries, rural industries or industries directly associated with or dependent on extractive industries)
* manufactured home estates
* multi-dwelling housing not included in Item 2
* restricted premises
* shops (other than general stores)
* boarding-houses
* brothels
* car repair stations
* commercial premises
* dwelling houses not included in Item 2
* integrated housing
* motor showrooms
* professional consulting rooms
* roadside stalls if requiring direct access to an RTA classified road

2(e) Minimum Standards for the Erection of a Dwelling-House:

See land use table listed in Items 2(a-d) above. If minimum standard not specified, no development standard applies.

2(f) Critical Habitat:

The subject land is not identified as including or comprising critical habitat as prescribed in the Threatened Species Conservation Act 1995 or (subject to section 5c) Part 7A of the Fisheries

Management Act 1994.

2(g) Conservation Area:

The subject land is not within a conservation area identified within the TLEP 2000.

2(h) Item of Environmental Heritage:

The subject land does not contain nor constitute an item of environmental heritage as listed in Schedule 2 of the TLEP 2000.

2(i) Clauses under Tweed Local Environmental Plan 2000

Clause 52 (Existing & Future Dam Areas)

(1) Objective

- to apply special provisions relating principally to environmental protection within particular areas shown on the zone map.

(2) In relation to land shown on the zone map in the manner indicated in Column 1 of the following Table, the provisions specified opposite in Column 2 apply.

Table

Column 1 Shown on the zone map by:	Column 2 Applicable provisions
#	A person must not carry out any development (except for purposes authorised under the *Forestry Act 1916* and purposes ordinarily incidental or ancillary to such purposes) on the land that will substantially change the topographic features or landscape or the natural state of the land, except with development consent.

4 Coastal Protection:

The Council has not been notified by the Department of Public Works that the land is affected by the operation of sections 38 or 39 of the Coastal Protection Act, 1979.

5 Mine Subsidence:

The subject land is not within an area proclaimed to be a Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6 Road Widening/Road Realignment:

The subject land is not affected by any road widening or realignment proposal under either Division 2 or Part 3 of the Roads Act, 1993, any environmental planning instrument or any resolution of the Council.

7(i) Land Slip:

The council has not adopted a policy to restrict development of the subject land because of the likelihood of land slip. Geotechnical investigations may be required prior to development of some sites, depending upon the characteristics of the site and the nature of development proposed.

7(ii) Bushfire:

The Council has adopted a policy to restrict development of the subject land because of the likelihood of bushfire hazard (see Item 11 below).

7(iii) Tidal Inundation:

Council has no records that indicate that the land is affected by tidal inundation. Accordingly, the Council has not adopted a policy to restrict development of the land in respect of tidal inundation.

7(iv) Subsidence:

Council records do not indicate that the land is affected by subsidence. Accordingly, the Council has not adopted a policy to restrict development of the land in respect to subsidence.

7(v) Acid Sulfate Soils:

The subject land is not identified as being affected by acid sulfate soils on Council's "Acid Sulfate Soil Planning Map".

7(vi) Any Other Risk:

Council has adopted a policy to restrict development of the subject land due to the following other identified risk: -

- ***Cattle Tick Dip Sites:***
  Council records do not indicate that the land is or has been used as a Cattle Tick Dip Site. Accordingly, no policy has been adopted to restrict development of the land in respect to cattle tick dip sites.

- ***Contamination:***
  Council has not by resolution, adopted a policy which may restrict development of the subject land in respect of potential contamination of that land.
  Due to the historical nature of land uses in the Tweed Shire, there is a possibility that land previously used for such purposes as agriculture, industrial, residential, commercial or similar uses would contain contamination. Enquiries should be made at the Council for any information held in their files and enquiries should also be made with all other relevant authorities. Tweed Shire Council has not yet prepared any detailed information as to whether this land is contaminated land.

7A. Flood related development controls information

(1)

All other properties within PMF - Dam Break area, upstream of Byangum (start of Tweed model)

Council has no flood records nor ground levels in this rural location. It is recommended that interested parties satisfy themselves as to the possible extent of flood affect on the property, if any, by local enquiry

Recent expert advice to Council indicates that there is a risk of failure of the Clarrie Hall Dam in a very extreme flood event. While the risk is very small and would only be as a result of a flood many times greater than any historical flood on record, the risk does exist. Council has put in place an emergency response plan and alerted all potentially affected residents.

Council, with the support of the NSW Government is investigating options for the upgrading of the dam spillway to eliminate this risk.

(1) Council records indicate that the land is not affected by a 1:100 year flood event and therefore the requirements of Development Control Plan Section A3 do not apply in this instance.

Council has adopted the Tweed Valley Floodplain Risk Management Study (and Draft Plan) 2005 - Part 2 Planning Controls for High Flow Areas dated August 2006. The subject land is not affected by this Policy.

(2) The subject land is not affected by any flooding under Council's Development Control Plan A3 – Development of Flood Liable Land.

8 Land Reserved for Acquisition:

The subject land is not identified as being subject to acquisition by a public authority (as referred to in section 27 of the EP&A Act 1979) under the provisions of any environmental planning instrument deemed or draft environmental planning instrument.

9 Contributions Plans:

As at the date of this certificate, the following contributions plan(s) apply (or may apply depending upon proposed future development) to the subject land:

Section 94 Plan No 4 - Tweed Road Contribution Plan

Section 94 Plan No 5 - Open Space Contributions

Section 94 Plan No 6 - Street Tree Planting in Residential Areas

Section 94 Plan No 11 - Library Facilities in Tweed Shire

Section 94 Plan No 12 - Bus Shelters

Section 94 Plan No 13 - Cemetery/Crematorium Facilities at Eviron Road, Duranbah

Section 94 Plan No 16 - Emergency Facilities (Surf Lifesaving)

Section 94 Plan No 18 - Council Administration Offices and Technical Support Facilities

Section 94 Plan No 26 - Regional Open Space

10 Matters arising under the Contaminated Land Management Act, 1997:

10(a) Investigation Area or Remediation Site:

As at the date of this certificate Council is not aware/has not been notified that the subject land is within land declared to be an investigation area or remediation site under Part 3 of the CLM Act 1997.

10(b) Investigation or Remediation Order:

As at the date of this certificate Council is not aware/has not been notified that the subject land is subject to an investigation order or a remediation order within the meaning of the CLM Act 1997.

10(c) Voluntary Investigation or Remediation Proposal:

As at the date of this certificate Council is not aware/has not been notified that the subject land is the subject of a voluntary investigation or remediation proposal that is subject of the Environment Protection Authority's agreement under section 19 or 26 of the CLM Act 1997.

10(d) Site Audit Statement:

Council is not aware that the subject land is subject of a site audit within the meaning of Part 4 of the CLM Act 1997. Council has not been notified/provided with a copy of any site audit statement pertaining to the subject land.

11 Bush Fire Prone Land

The subject land is identified as bush fire prone land in accordance with the Bush Fire Prone Land map certified in accordance with Section 146(2) of the Environmental Planning and Assessment Act, 1979, as amended.

12. Property Vegetation Plans

The subject land is not affected by a Property Vegetation Plan under the Native Vegetation Act 2003.

13. Orders under Trees (Disputes between Neighbours) Act 2006

Council has not been notified of any Order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14. Council Resolutions/Building Heights

The land is affected by a height limitation of 3 storeys under Tweed Local Environmental Plan 2000.

SPECIAL NOTATIONS

The land is identified as Other Rural Land (Farmland Protection Project) on the map referred to in Section 117(2) Direction No. 14 dated 30 September 2005.
The land is identified as Committed Urban Uses or Rural Residential Zones (Farmland Protection Project) on the map referred to in Section 117(2) Direction No. 14 dated 30 September 2005.

149(5) Information

1. The follow development consents have been issued within the last (5) years.

Application	Decision	Date	Description

2. Council has resolved to prepare Draft Local Environmental Plan Amendment No. 74 (Restoration of Lost Dwelling Entitlement) relating to the subject land.

   Council has resolved to prepare Draft Local Environmental Plan Amendment No. 80 (Clause 58 in Schedule 2) relating to the subject land.

   Council has resolved to prepare Draft Local Environmental Plan Amendment No 42 - Rural Settlement Strategy

3. The subject land is not affected by Council's Tree Preservation Order.

MIKE RAYNER
GENERAL MANAGER

Per .....

TWEED SHIRE COUNCIL

PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Applicant: Ms C O'Sullivan
PO Box 388
TOOWONG QLD 4066

Certificate No: 149C08/0117
Date of Issue: 18/01/2008
Receipt No: 344901
Fee Paid: $141.00

Your Reference: 3500/53

Property Description: Lot 3 DP 771335, No. 2954 Kyogle Road Kunghur

CIVIC AND CULTURAL CENTRE, MURWILLUMBAH
PO BOX 816, MURWILLUMBAH NSW 2484
TELEPHONE (02) 6670 2400 FAX (02) 6670 2429

PLEASE ADDRESS ALL COMMUNICATIONS TO THE GENERAL MANAGER
ABN 90 178 732 496
www.tweed.nsw.gov.au

TABLE OF CONTENTS

1(1)(a)	*As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:*	4
1(1)(b)	*As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:*	4
1(1)(c)	*As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:*	4
1(2)(a)	*As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to planningNSW:*	4
1(2)(b)	*As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to planningNSW:*	5
1(3)(a)	*As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to planningNSW:*	5
1(3)(b)	*As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to planningNSW:*	8
2(a-d)	*Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:*	8
2(e)	*Minimum Standards for the Erection of a Dwelling-House:*	10
2(f)	*Critical Habitat:*	10
2(g)	*Conservation Area:*	11
2(h)	*Item of Environmental Heritage:*	11
2(i)	*Clauses under Tweed Local Environmental Plan 2000*	11
4	*Coastal Protection:*	11
5	*Mine Subsidence:*	11
6	*Road Widening/Road Realignment:*	11
7(i)	*Land Slip:*	11
7(ii)	*Bushfire:*	12
7(iii)	*Tidal Inundation:*	12
7(iv)	*Subsidence:*	12
7(v)	*Acid Sulfate Soils:*	12
7(vi)	*Any Other Risk:*	12
7A.	*Flood related development controls information*	13
8	*Land Reserved for Acquisition:*	13
9	*Contributions Plans:*	13
10	*Matters arising under the Contaminated Land Management Act, 1997:*	14
10(a)	*Investigation Area or Remediation Site:*	14
10(b)	*Investigation or Remediation Order:*	14
10(c)	*Voluntary Investigation or Remediation Proposal:*	14
10(d)	*Site Audit Statement:*	14
11	*Bush Fire Prone Land*	14
12.	*Property Vegetation Plans*	14

13. Orders under Trees (Disputes between Neighbours) Act 2006 14
14. Council Resolutions/Building Heights 14
SPECIAL NOTATIONS 14
149(5) Information 15

1(1)(a) As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:

Tweed Local Environmental Plan 2000 (TLEP2000)

1(1)(b) As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:

Draft Local Environmental Plan Amendment No 20 - Kings Forest / Shirewide

Draft Local Environmental Plan Amendment No 21 - Tweed Vegetation Management Plan

Draft Local Environmental Plan Amendment No 70 - DCP 40 Exempt & Complying Development - Date Change

Draft Local Environmental Plan Amendment No 76 - Tweed Shire Community Based Heritage Study

1(1)(c) As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:

A 1 - Multi - Dwelling Housing and Tourist Accommodation

A 2 - Site Access and Parking Code

A 3 - Development of Flood Liable Land

A 4 - Advertising Signs Code

A 5 - Subdivision Manual

A 6 - Biting Midge and Mosquito Control

A 7 - Child Care Centres

A 8 - Brothels Policy

A 9 - Energy Smart Homes Policy

A10 - Exempt and Complying Development

A11 - Public Notification of Development Proposals

A12 - Dual Occupancy Controls

A13 - Socio - Economic Impact Assessment

A14 - Cut and Fill on Residential Land

1(2)(a) As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to the Department of Planning:

North Coast Regional Environmental Plan 1988.

1(2)(b) As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to the Department of Planning:

There are no draft regional environmental plans currently applying to the subject land.

1(3)(a) As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to the Department of Planning:

State Environmental Planning Policy No. 1 - Development Standards - Gazetted 17 October 1980

The Policy sets out the general principle that a development standard contained within an environmental planning instrument may be varied where strict compliance can be shown to be unreasonable or varied where strict compliance can be shown to be unreasonable or would tend to hinder the attainment of the objects specified in the Environmental Planning and Assessment Act, 1979.

State Environmental Planning Policy No. 4 - Development Without Consent (Amendment No. 7) - Gazetted 4 December 1981

This Policy allows development for the purpose of bushfire hazard reduction to be carried out on land to which the SEPP No. 4 applies without consent if the development is consistent with a plan of operations prepared under the Bush Fires Act 1949 and does not include clearing of wetlands identified in SEPP No. 14.

State Environmental Planning Policy No. 6 - Number of Storeys in a Building - Gazetted 10 December 1982

To provide a standard determination regarding the height of a building where the height is controlled by reference to the number of storeys.

State Environmental Planning Policy No. 8 - Surplus Public Land - Gazetted 8 April 1983

To promote and co-ordinate the orderly and economic use of surplus public land and provide for its development to be considered from a State rather than local perspective.

State Environmental Planning Policy No. 9 - Group Homes - Gazetted 7 October 1983

This policy controls the development of Group Homes on all land where dwellings are allowed.

State Environmental Planning Policy No. 11 - Traffic Generating Developments - Gazetted 9 August 1985

To ensure that applications for specific types of development are referred to the Traffic Authority for its comments prior to determination.

State Environmental Planning Policy No. 15 - Rural Landsharing Communities - Gazetted 9 April 1998

State Environmental Planning Policy No. 15 - Rural Landsharing Communities aims to encourage and facilitate development of rural landsharing communities to collectively manage land in an environmentally sensitive and sustainable manner and to provide for low cost housing. The Policy establishes criteria for rural landsharing community development, matters for Council consideration, environmental considerations, site analysis and management requirements for development proposed under the Policy.

State Environmental Planning Policy No. 16 - Tertiary Institutions - Gazetted 20 December 1985

To permit any kind of tertiary institution on land zoned for a specific kind of tertiary institution.

State Environmental Planning Policy No. 21 - Caravan Parks - Gazetted 24 April 1992

To regulate the use and development of caravan parks, and in certain instances, to enable their subdivision for lease purposes.

State Environmental Planning Policy No. 22 - Shops and Commercial Premises - Gazetted 9 January 1987

The policy allows with consent of council, a change of use from a shop or commercial premises or alternatively a commercial premises to a shop or another kind of commercial premises, where the new use is prohibited under an environmental planning instrument.

State Environmental Planning Policy No. 27 - Prison Sites - Gazetted 20 January 1989

To facilitate the erection and use of buildings for the purpose of prisons.

State Environmental Planning Policy No. 30 - Cattle Feedlots and Piggeries - Gazetted 8 December 1989

To ensure that all feedlots with a capacity of greater than 400 head are dealt with in a consistent manner, the Policy provides all councils with a consent role. Where development consent is required, proposals for cattle feedlots in excess of 400 head are designated development and require the provision of an environmental impact statement to accompany a development application.

State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land) - Gazetted 15 November 1991

To provide for redevelopment of urban land which is no longer required for the purpose for which it is currently zoned or used. Its purpose is to ensure that sites which have the potential to contribute to urban consolidation are made available for multi-unit housing efficiently and without delay.

State Environmental Planning Policy No. 33 - Hazardous and Offensive Development - Gazetted 13 March 1992

To provide a mechanism for the consideration of applications for hazardous and offensive industries, by ensuring that the consent authority has sufficient information to assess any such applications, to impose conditions to reduce or minimise any adverse impacts and to require advertising of applications for such developments.

State Environmental Planning Policy No. 34 - Major Employment Generating/Industrial Development - Gazetted 26 March 1993

To ensure an efficient and consistent approach to the determination of major employment generating industrial developments (where the development would result in at least 100 post-construction full time jobs or 20 in the case of intensive livestock operations, or have a capital investment value of $20 million or more, excluding land). This Policy provides that the Minister for Planning is the consent authority for such developments.

State Environmental Planning Policy No. 35 - Maintenance Dredging of Tidal Waterways - Gazetted 24 September 1993

This Policy provides a mechanism which enables the maintenance dredging of tidal waterways by public authorities, to be carried in a timely, cost effective and environmentally responsible manner in response to changing conditions in those waterways.

State Environmental Planning Policy No. 36 - Manufactured Homes Estate - Gazetted 13 July 1993

This policy:

(i) defines where Manufactured Homes Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates;

(ii) enables with development consent, the subdivision of MHE provided such subdivision

complies with the provision of the Local Government (Manufactured Homes Estates) Regulation 1993.

State Environmental Planning Policy No. 44 - Koala Habitat Protection - Gazetted 6 January 1995

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas, to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline by:

(a) requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat; and

(b) encouraging the identification of areas of core koala habitat; and

(c) encouraging the inclusion of areas of core koala habitat in environment protection zones.

State Environmental Planning Policy No. 48 - Major Putrescible Landfill Sites - Gazetted 29 December 1995

To ensure a consistency of approach in the assessment of such development proposals, to ensure that the significance of any proposal to the State is considered, and to ensure that the use of landfill sites as a means of waste is weighed against other waste management and waste disposal alternatives.

State Environmental Planning Policy No. 50 - Canal Estate Development - Gazetted 30 October 1997

This Policy provides that where the Policy applies a person shall not carry out canal estate development as defined in the Policy.

State Environmental Planning Policy No. 55 - Remediation of Land - Gazetted 28 August 1998

This Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. The policy applies to the whole state, to ensure that remediation is permissible development and is always carried out to a high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

State Environmental Planning Policy No. 62 - Sustainable Aquaculture - Gazetted 23 August 2000

To encourage the sustainable expansion of the aquaculture industry in NSW. The SEPP implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture developments as designated development only where there are high potential environmental risks.

State Environmental Planning Policy No. 64 - Advertising and Signage - Gazetted 16 March 2001

This Policy provides new controls that will improve the quality of outdoor advertising and the environment.

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development - Gazetted 26 July 2002

This policy aims to improve the design quality of residential flat development in New South Wales. This policy applies to the whole of the state in respect of the erection of new residential flat buildings, the substantial redevelopment or refurbishment of an existing residential flat building, or conversion of an existing building to a residential flat building.

A residential flat building for the purpose of the policy is defined as a building of three or more storeys (not including levels that protrude less than 1.2 m above ground level that are devoted to car parking and storage) and four or more self-contained dwelling units. It does not apply to

buildings classified as Class 1a or 1b under the Building Code of Australia.

The policy provides design quality principles that must be satisfied, and the implementation of design review panels that provide independent advice to consent authorities and applicants on residential flat development proposals, development applications, draft Local Environmental Plans, Development Control Plans, Master Plans and Planning Policy documents.

State Environmental Planning Policy (Seniors Living) 2004 - Gazetted 31 March 2004

State Environmental Planning Policy (Seniors Living) 2004 aims to increase availability and to provide a wider choice of residential accommodation for older people or people with a disability. The Policy establishes matters for consideration, development standards and design requirements for development proposed under the Policy.

State Environmental Planning Policy (Major Projects) 2005 - Gazetted 25 May 2005

State Environmental Planning Policy (Major Projects) 2005 aims: -

(a) to identify development to which the development assessment and approval process under Part 3A of the Act applies,

(b) to identify any such development that is a critical infrastructure project for the purposes of Part 3A of the Act,

(c) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State,

(d) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes,

(e) to rationalise and clarify the provisions making the Minister the approval authority for development and sites of State significance, and to keep those provisions under review so that the approval process is devolved to councils when State planning objectives have been achieved.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 – Gazetted 16 February 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 aims to provide for the proper management and development of mining, petroleum production and extractive material resources; to facilitate the orderly use and development of areas where the resources are located; and, to establish appropriate planning controls to encourage sustainable management of these resources.

1(3)(b) As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to the Department of Planning:

There are no such draft State environmental planning policies applying to the subject land.

2(a-d) Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:

Zone 2 (d) Village
Zone objectives
Primary objective
* to provide for residential development and a full range of services and facilities traditionally associated with a

rural village which is of a design and scale that makes a positive contribution to the character of the village.

Development within the zone

In Zone 2 (d) development for the purpose of the following is:

Item 1 allowed without consent:

* environmental facilities

Item 2 allowed only with consent:

* bed and breakfast
* dwelling houses if each is on an allotment of at least 450m2
* rural workers' dwellings
* any other buildings, works, places or land uses not included in Item 1, 3 or 4

Item 3 allowed only with consent and must satisfy the provisions of clause 8 (2):

* Forestry
* Sawmills
* helipads
* stock and sale yards

Item 4 prohibited:

* Abattoirs
* animal establishments
* display homes if adjoining an RTA classified road
* Heliports
* liquid fuel depots
* offensive or hazardous industries
* restricted premises
* airline terminals
* brothels
* extractive industries
* junkyards
* mines
* recreation vehicle areas
* tourist resorts

Zone 1 (a) Rural

Zone objectives

Primary objectives

* to enable the ecologically sustainable development of land that is suitable primarily for agricultural or natural resource utilisation purposes and associated development.
* to protect rural character and amenity.

Secondary objectives

* to enable other types of development that rely on the rural or natural values of the land such as agri- and eco-tourism.
* to provide for development that is not suitable in or near urban areas.
* to prevent the unnecessary fragmentation or development of land which may be needed for long-term urban expansion.
* to provide non-urban breaks between settlements to give a physical and community identity to each settlement.

Development within the zone

In Zone 1 (a) development for the purpose of the following is:

Item 1 allowed without consent:

* agriculture
* environmental facilities
* forestry

Item 2 allowed only with consent:

* bed and breakfast
* dwelling houses if each is on an allotment of at least 40 hectares or on an allotment referred to in clause 57
* multi-dwelling housing if:
  - (a) not more than two dwellings are involved, and
  - (b) they are attached, and
  - (c) they are on an allotment of at least 40 hectares or an allotment referred to in clause 57
* any other buildings, works, places or land uses not included in Item 1, 3 or 4

Item 3 allowed only with consent and must satisfy the provisions of clause 8 (2)

* boat repair and servicing facilities
* car parks
* child care centres
* educational establishments
* Heliports
* Hotels
* Institutions
* light industries
* Markets
* offensive or hazardous industries
* places of public worship
* service stations
* Transport terminals (other than airline terminals)
* boating facilities
* caravan parks (other than camping grounds) if connected to a reticulated sewerage system
* clubs
* helipads
* hospitals
* housing for older people or people with disabilities
* junkyards
* marinas
* motels
* places of assembly
* public buildings
* storage units

Item 4 prohibited:

* airline terminals
* boat showrooms
* bulky goods retailing
* caravan parks (other than camping grounds) if not connected to a reticulated sewerage system
* display homes
* industries (other than home industries, light industries, offensive or hazardous industries, rural industries or industries directly associated with or dependent on extractive industries)
* manufactured home estates
* multi-dwelling housing not included in Item 2
* restricted premises
* shops (other than general stores)
* boarding-houses
* brothels
* car repair stations
* commercial premises
* dwelling houses not included in Item 2
* integrated housing
* motor showrooms
* professional consulting rooms
* roadside stalls if requiring direct access to an RTA classified road

2(e) Minimum Standards for the Erection of a Dwelling-House:

See land use table listed in Items 2(a-d) above. If minimum standard not specified, no development standard applies.

2(f) Critical Habitat:

The subject land is not identified as including or comprising critical habitat as prescribed in the Threatened Species Conservation Act 1995 or (subject to section 5c) Part 7A of the Fisheries

Management Act 1994.

2(g) Conservation Area:

The subject land is not within a conservation area identified within the TLEP 2000.

2(h) Item of Environmental Heritage:

The subject land does not contain nor constitute an item of environmental heritage as listed in Schedule 2 of the TLEP 2000.

2(i) Clauses under Tweed Local Environmental Plan 2000

Clause 52 (Existing & Future Dam Areas)

(1) Objective

- to apply special provisions relating principally to environmental protection within particular areas shown on the zone map.

(2) In relation to land shown on the zone map in the manner indicated in Column 1 of the following Table, the provisions specified opposite in Column 2 apply.

Table

Column 1 Shown on the zone map by:	Column 2 Applicable provisions
#	A person must not carry out any development (except for purposes authorised under the *Forestry Act 1916* and purposes ordinarily incidental or ancillary to such purposes) on the land that will substantially change the topographic features or landscape or the natural state of the land, except with development consent.

4 Coastal Protection:

The Council has not been notified by the Department of Public Works that the land is affected by the operation of sections 38 or 39 of the Coastal Protection Act, 1979.

5 Mine Subsidence:

The subject land is not within an area proclaimed to be a Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6 Road Widening/Road Realignment:

The subject land is not affected by any road widening or realignment proposal under either Division 2 or Part 3 of the Roads Act, 1993, any environmental planning instrument or any resolution of the Council.

7(i) Land Slip:

The council has not adopted a policy to restrict development of the subject land because of the likelihood of land slip. Geotechnical investigations may be required prior to development of some sites, depending upon the characteristics of the site and the nature of development proposed.

7(ii) Bushfire:

The Council has adopted a policy to restrict development of the subject land because of the likelihood of bushfire hazard (see Item 11 below).

7(iii) Tidal Inundation:

Council has no records that indicate that the land is affected by tidal inundation. Accordingly, the Council has not adopted a policy to restrict development of the land in respect of tidal inundation.

7(iv) Subsidence:

Council records do not indicate that the land is affected by subsidence. Accordingly, the Council has not adopted a policy to restrict development of the land in respect to subsidence.

7(v) Acid Sulfate Soils:

The subject land is not identified as being affected by acid sulfate soils on Council's "Acid Sulfate Soil Planning Map".

7(vi) Any Other Risk:

Council has adopted a policy to restrict development of the subject land due to the following other identified risk: -

- ***Cattle Tick Dip Sites:***
  Council records do not indicate that the land is or has been used as a Cattle Tick Dip Site. Accordingly, no policy has been adopted to restrict development of the land in respect to cattle tick dip sites.

- ***Contamination:***
  Council has not by resolution, adopted a policy which may restrict development of the subject land in respect of potential contamination of that land.
  Due to the historical nature of land uses in the Tweed Shire, there is a possibility that land previously used for such purposes as agriculture, industrial, residential, commercial or similar uses would contain contamination. Enquiries should be made at the Council for any information held in their files and enquiries should also be made with all other relevant authorities. Tweed Shire Council has not yet prepared any detailed information as to whether this land is contaminated land.

7A. Flood related development controls information

(1)

All other properties within PMF - Dam Break area, upstream of Byangum (start of Tweed model)

Council has no flood records nor ground levels in this rural location. It is recommended that interested parties satisfy themselves as to the possible extent of flood affect on the property, if any, by local enquiry

Recent expert advice to Council indicates that there is a risk of failure of the Clarrie Hall Dam in a very extreme flood event. While the risk is very small and would only be as a result of a flood many times greater than any historical flood on record, the risk does exist. Council has put in place an emergency response plan and alerted all potentially affected residents.

Council, with the support of the NSW Government is investigating options for the upgrading of the dam spillway to eliminate this risk.

(1) Council records indicate that the land is not affected by a 1:100 year flood event and therefore the requirements of Development Control Plan Section A3 do not apply in this instance.

Council has adopted the Tweed Valley Floodplain Risk Management Study (and Draft Plan) 2005 - Part 2 Planning Controls for High Flow Areas dated August 2006. The subject land is not affected by this Policy.

(2) The subject land is not affected by any flooding under Council's Development Control Plan A3 – Development of Flood Liable Land.

8 Land Reserved for Acquisition:

The subject land is not identified as being subject to acquisition by a public authority (as referred to in section 27 of the EP&A Act 1979) under the provisions of any environmental planning instrument deemed or draft environmental planning instrument.

9 Contributions Plans:

As at the date of this certificate, the following contributions plan(s) apply (or may apply depending upon proposed future development) to the subject land:

Section 94 Plan No 4 - Tweed Road Contribution Plan

Section 94 Plan No 5 - Open Space Contributions

Section 94 Plan No 6 - Street Tree Planting in Residential Areas

Section 94 Plan No 11 - Library Facilities in Tweed Shire

Section 94 Plan No 12 - Bus Shelters

Section 94 Plan No 13 - Cemetery/Crematorium Facilities at Eviron Road, Duranbah

Section 94 Plan No 16 - Emergency Facilities (Surf Lifesaving)

Section 94 Plan No 18 - Council Administration Offices and Technical Support Facilities

Section 94 Plan No 26 - Regional Open Space

10 Matters arising under the Contaminated Land Management Act, 1997:

10(a) Investigation Area or Remediation Site:

As at the date of this certificate Council is not aware/has not been notified that the subject land is within land declared to be an investigation area or remediation site under Part 3 of the CLM Act 1997.

10(b) Investigation or Remediation Order:

As at the date of this certificate Council is not aware/has not been notified that the subject land is subject to an investigation order or a remediation order within the meaning of the CLM Act 1997.

10(c) Voluntary Investigation or Remediation Proposal:

As at the date of this certificate Council is not aware/has not been notified that the subject land is the subject of a voluntary investigation or remediation proposal that is subject of the Environment Protection Authority's agreement under section 19 or 26 of the CLM Act 1997.

10(d) Site Audit Statement:

Council is not aware that the subject land is subject of a site audit within the meaning of Part 4 of the CLM Act 1997. Council has not been notified/provided with a copy of any site audit statement pertaining to the subject land.

11 Bush Fire Prone Land

The subject land is identified as bush fire prone land in accordance with the Bush Fire Prone Land map certified in accordance with Section 146(2) of the Environmental Planning and Assessment Act, 1979, as amended.

12. Property Vegetation Plans

The subject land is not affected by a Property Vegetation Plan under the Native Vegetation Act 2003.

13. Orders under Trees (Disputes between Neighbours) Act 2006

Council has not been notified of any Order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14. Council Resolutions/Building Heights

The land is affected by a height limitation of 3 storeys under Tweed Local Environmental Plan 2000.

SPECIAL NOTATIONS

The land is identified as Other Rural Land (Farmland Protection Project) on the map referred to in Section 117(2) Direction No. 14 dated 30 September 2005.
The land is identified as Committed Urban Uses or Rural Residential Zones (Farmland Protection Project) on the map referred to in Section 117(2) Direction No. 14 dated 30 September 2005.

149(5) Information

1. The follow development consents have been issued within the last (5) years.

Application	Decision	Date	Description
DA05/1031	Approved	21/07/2006	boundary adjustment and establishment of a recreation establishment

2. Council has resolved to prepare Draft Local Environmental Plan Amendment No. 74 (Restoration of Lost Dwelling Entitlement) relating to the subject land.

   Council has resolved to prepare Draft Local Environmental Plan Amendment No. 80 (Clause 58 in Schedule 2) relating to the subject land.

   Council has resolved to prepare Draft Local Environmental Plan Amendment No 42 - Rural Settlement Strategy

3. The subject land is not affected by Council's Tree Preservation Order.

MIKE RAYNER
GENERAL MANAGER

Per .....

TWEED SHIRE COUNCIL

PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Applicant: Cherie O'Sullivan
C/-Cardno (Qld) Pty Ltd
PO Box 388
TOOWONG QLD 4066

Certificate No: 149C08/1784
Date of Issue: 2/06/2008
Receipt No: 362524
Fee Paid: $120.00

Your Reference: 3550-53

Property Description: Lot 3 DP 755714, Kyogle Road Kunghur

CIVIC AND CULTURAL CENTRE, MURWILLUMBAH
PO BOX 816, MURWILLUMBAH NSW 2484
TELEPHONE (02) 6670 2400 FAX (02) 6670 2429

PLEASE ADDRESS ALL COMMUNICATIONS TO THE GENERAL MANAGER

ABN 90 178 732 496
www.tweed.nsw.gov.au

TABLE OF CONTENTS

1(1)(a)	*As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:*	4
1(1)(b)	*As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:*	4
1(1)(c)	*As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:*	4
1(2)(a)	*As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to planningNSW:*	4
1(2)(b)	*As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to planningNSW:*	4
1(3)(a)	*As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to planningNSW:*	5
1(3)(b)	*As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to planningNSW:*	9
2(a-d)	*Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:*	9
2(e)	*Minimum Standards for the Erection of a Dwelling-House:*	10
2(f)	*Critical Habitat:*	10
2(g)	*Conservation Area:*	10
2(h)	*Item of Environmental Heritage:*	10
2(i)	*Clauses under Tweed Local Environmental Plan 2000*	11
4	*Coastal Protection:*	11
5	*Mine Subsidence:*	11
6	*Road Widening/Road Realignment:*	11
7(i)	*Land Slip:*	11
7(ii)	*Bushfire:*	11
7(iii)	*Tidal Inundation:*	11
7(iv)	*Subsidence:*	12
7(v)	*Acid Sulfate Soils:*	12
7(vi)	*Any Other Risk:*	12
7A.	*Flood related development controls information*	12
8	*Land Reserved for Acquisition:*	12
9	*Contributions Plans:*	12
10	*Matters arising under the Contaminated Land Management Act, 1997:*	13
10(a)	*Investigation Area or Remediation Site:*	13
10(b)	*Investigation or Remediation Order:*	13
10(c)	*Voluntary Investigation or Remediation Proposal:*	13
10(d)	*Site Audit Statement:*	13
11	*Bush Fire Prone Land*	13
12.	*Property Vegetation Plans*	13

13. Orders under Trees (Disputes between Neighbours) Act 2006 14
14. Council Resolutions/Building Heights 14
SPECIAL NOTATIONS 14
149(5) Information 15

1(1)(a) As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:

Tweed Local Environmental Plan 2000 (TLEP2000)

1(1)(b) As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:

Draft Local Environmental Plan Amendment No 20 - Kings Forest / Shirewide

Draft Local Environmental Plan Amendment No 21 - Tweed Vegetation Management Plan

Draft Local Environmental Plan Amendment No 70 - DCP 40 Exempt & Complying Development - Date Change

Draft Local Environmental Plan Amendment No 76 - Tweed Shire Community Based Heritage Study

1(1)(c) As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:

A 1 - Residential and Tourist Code

A 2 - Site Access and Parking Code

A 3 - Development of Flood Liable Land

A 4 - Advertising Signs Code

A 5 - Subdivision Manual

A 6 - Biting Midge and Mosquito Control

A 7 - Child Care Centres

A 8 - Brothels Policy

A 9 - Energy Smart Homes Policy

A10 - Exempt and Complying Development

A11 - Public Notification of Development Proposals

A13 - Socio - Economic Impact Assessment

1(2)(a) As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to the Department of Planning:

North Coast Regional Environmental Plan 1988.

1(2)(b) As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to the Department of Planning:

There are no draft regional environmental plans currently applying to the subject land.

1(3)(a) As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to the Department of Planning:

State Environmental Planning Policy No. 1 - Development Standards - Gazetted 17 October 1980

The Policy sets out the general principle that a development standard contained within an environmental planning instrument may be varied where strict compliance can be shown to be unreasonable or varied where strict compliance can be shown to be unreasonable or would tend to hinder the attainment of the objects specified in the Environmental Planning and Assessment Act, 1979.

State Environmental Planning Policy No. 4 - Development Without Consent and Miscellaneous Exempt & Complying Development - Gazetted 4 December 1981

This Policy allows development for the purpose of bushfire hazard reduction to be carried out on land to which the SEPP No. 4 applies without consent if the development is consistent with a plan of operations prepared under the Bush Fires Act 1949 and does not include clearing of wetlands identified in SEPP No. 14.

State Environmental Planning Policy No. 6 - Number of Storeys in a Building - Gazetted 10 December 1982

To provide a standard determination regarding the height of a building where the height is controlled by reference to the number of storeys.

State Environmental Planning Policy No. 15 - Rural Landsharing Communities - Gazetted 9 April 1998

State Environmental Planning Policy No. 15 - Rural Landsharing Communities aims to encourage and facilitate development of rural landsharing communities to collectively manage land in an environmentally sensitive and sustainable manner and to provide for low cost housing. The Policy establishes criteria for rural landsharing community development, matters for Council consideration, environmental considerations, site analysis and management requirements for development proposed under the Policy.

State Environmental Planning Policy No. 21 - Caravan Parks - Gazetted 24 April 1992

To regulate the use and development of caravan parks, and in certain instances, to enable their subdivision for lease purposes.

State Environmental Planning Policy No. 22 - Shops and Commercial Premises - Gazetted 9 January 1987

The policy allows with consent of council, a change of use from a shop or commercial premises or alternatively a commercial premises to a shop or another kind of commercial premises, where the new use is prohibited under an environmental planning instrument.

State Environmental Planning Policy No. 30 - Intensive Agriculture - Gazetted 8 December 1989

To ensure that all feedlots with a capacity of greater than 400 head are dealt with in a consistent manner, the Policy provides all councils with a consent role. Where development consent is required, proposals for cattle feedlots in excess of 400 head are designated development and require the provision of an environmental impact statement to accompany a development application.

State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land) - Gazetted 15 November 1991

To provide for redevelopment of urban land which is no longer required for the purpose for which it is currently zoned or used. Its purpose is to ensure that sites which have the potential to contribute to urban consolidation are made available for multi-unit housing efficiently and without

delay.

State Environmental Planning Policy No. 33 - Hazardous and Offensive Development - Gazetted 13 March 1992

To provide a mechanism for the consideration of applications for hazardous and offensive industries, by ensuring that the consent authority has sufficient information to assess any such applications, to impose conditions to reduce or minimise any adverse impacts and to require advertising of applications for such developments.

State Environmental Planning Policy No. 36 - Manufactured Homes Estate - Gazetted 13 July 1993

This policy:

(i) defines where Manufactured Homes Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates;

(ii) enables with development consent, the subdivision of MHE provided such subdivision complies with the provision of the Local Government (Manufactured Homes Estates) Regulation 1993.

State Environmental Planning Policy No. 44 - Koala Habitat Protection - Gazetted 6 January 1995

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas, to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline by:

(a) requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat; and

(b) encouraging the identification of areas of core koala habitat; and

(c) encouraging the inclusion of areas of core koala habitat in environment protection zones.

State Environmental Planning Policy No. 50 - Canal Estate Development - Gazetted 30 October 1997

This Policy provides that where the Policy applies a person shall not carry out canal estate development as defined in the Policy.

State Environmental Planning Policy No. 55 - Remediation of Land - Gazetted 28 August 1998

This Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. The policy applies to the whole state, to ensure that remediation is permissible development and is always carried out to a high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

State Environmental Planning Policy No. 62 - Sustainable Aquaculture - Gazetted 23 August 2000

To encourage the sustainable expansion of the aquaculture industry in NSW. The SEPP implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture developments as designated development only where there are high potential environmental risks.

State Environmental Planning Policy No. 64 - Advertising and Signage - Gazetted 16 March 2001

This Policy provides new controls that will improve the quality of outdoor advertising and the environment.

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development - Gazetted 26 July 2002

This policy aims to improve the design quality of residential flat development in New South Wales. This policy applies to the whole of the state in respect of the erection of new residential flat buildings, the substantial redevelopment or refurbishment of an existing residential flat building, or conversion of an existing building to a residential flat building.

A residential flat building for the purpose of the policy is defined as a building of three or more storeys (not including levels that protrude less than 1.2 m above ground level that are devoted to car parking and storage) and four or more self-contained dwelling units. It does not apply to buildings classified as Class 1a or 1b under the Building Code of Australia.

The policy provides design quality principles that must be satisfied, and the implementation of design review panels that provide independent advice to consent authorities and applicants on residential flat development proposals, development applications, draft Local Environmental Plans, Development Control Plans, Master Plans and Planning Policy documents.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 - Gazetted 31 March 2004

State Environmental Planning Policy (Seniors Living) 2004 aims to increase availability and to provide a wider choice of residential accommodation for older people or people with a disability. The Policy establishes matters for consideration, development standards and design requirements for development proposed under the Policy.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - Gazetted 25 June 2004

State Environmental Planning Policy Building Sustainability Index: BASIX) 2004 - Gazetted 25 June 2004 aims: -

(1) Regulations under the Act have established a scheme to encourage sustainable residential development ("the BASIX scheme") under which:

(a) an application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out, and

(b) the carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate will be subject to a condition requiring such commitments to be fulfilled.

(2) The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.

(3) This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from o modify any obligations arising under the BASIX scheme.

State Environmental Planning Policy (Major Projects) 2005 - Gazetted 25 May 2005

State Environmental Planning Policy (Major Projects) 2005 aims: -

(a) to identify development to which the development assessment and approval process under Part 3A of the Act applies,

(b) to identify any such development that is a critical infrastructure project for the purposes of Part 3A of the Act,

(c) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State,

(d) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes,

(e) to rationalise and clarify the provisions making the Minister the approval authority for

development and sites of State significance, and to keep those provisions under review so that the approval process is devolved to councils when State planning objectives have been achieved.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 – Gazetted 16 February 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 aims to provide for the proper management and development of mining, petroleum production and extractive material resources; to facilitate the orderly use and development of areas where the resources are located; and, to establish appropriate planning controls to encourage sustainable management of these resources.

State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007 – Gazetted 28 September 2007

The aims of this Policy are as follows:

(a) to ensure that suitable provision is made for ensuring the safety of persons using temporary structures or places of public entertainment,

(b) to encourage the protection of the environment at the location, and in the vicinity, of places of public entertainment or temporary structures by (among other things) managing noise, parking and traffic impacts and ensuring heritage protection,

(c) to specify the circumstances in which the erection and use of temporary structures are complying development or exempt development,

(d) to promote opportunities for buildings (including temporary structures) to be used as places of public entertainment by specifying the circumstances in which that use is complying development or exempt development,

(e) to promote the creation of jobs in the public entertainment industry,

(f) to increase access for members of the public to public entertainment.

State Environmental Planning Policy (Infrastructure) 2007 - Gazetted 21 December 2007

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and

(b) providing greater flexibility in the location of infrastructure and service facilities, and

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

State Environmental Planning Policy (Rural Lands) 2008 - Gazetted 9 May 2008

The aims of this Policy are as follows:

(a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,

(b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,

(c) to implement measures designed to reduce land use conflicts,

(d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental

considerations,

(e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.

1(3)(b) As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to the Department of Planning:

There are no such draft State environmental planning policies applying to the subject land.

2(a-d) Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:

Zone 1 (a) Rural

Zone objectives

Primary objectives

* to enable the ecologically sustainable development of land that is suitable primarily for agricultural or natural resource utilisation purposes and associated development.
* to protect rural character and amenity.

Secondary objectives

* to enable other types of development that rely on the rural or natural values of the land such as agri- and eco-tourism.
* to provide for development that is not suitable in or near urban areas.
* to prevent the unnecessary fragmentation or development of land which may be needed for long-term urban expansion.
* to provide non-urban breaks between settlements to give a physical and community identity to each settlement.

Development within the zone

In Zone 1 (a) development for the purpose of the following is:

Item 1 allowed without consent:

* agriculture
* environmental facilities
* forestry

Item 2 allowed only with consent:

* bed and breakfast
* dwelling houses if each is on an allotment of at least 40 hectares or on an allotment referred to in clause 57
* multi-dwelling housing if:
  (a) not more than two dwellings are involved, and
  (b) they are attached, and
  (c) they are on an allotment of at least 40 hectares or an allotment referred to in clause 57
* any other buildings, works, places or land uses not included in Item 1, 3 or 4

Item 3 allowed only with consent and must satisfy the provisions of clause 8 (2)

* boat repair and servicing facilities
* car parks
* child care centres
* educational establishments
* Heliports
* Hotels
* Institutions
* light industries
* Markets
* offensive or hazardous industries
* places of public worship
* service stations
* Transport terminals (other than airline terminals)
* boating facilities
* caravan parks (other than camping grounds) if connected to a reticulated sewerage system
* clubs
* helipads
* hospitals
* housing for older people or people with disabilities
* junkyards
* marinas
* motels
* places of assembly
* public buildings
* storage units

Item 4 prohibited:

* airline terminals
* boat showrooms
* bulky goods retailing
* caravan parks (other than camping grounds) if not connected to a reticulated sewerage system
* display homes
* industries (other than home industries, light industries, offensive or hazardous industries, rural industries or industries directly associated with or dependent on extractive industries)
* manufactured home estates
* multi-dwelling housing not included in Item 2
* restricted premises
* shops (other than general stores)
* boarding-houses
* brothels
* car repair stations
* commercial premises
* dwelling houses not included in Item 2
* integrated housing
* motor showrooms
* professional consulting rooms
* roadside stalls if requiring direct access to an RTA classified road

2(e) Minimum Standards for the Erection of a Dwelling-House:

See land use table listed in Items 2(a-d) above. If minimum standard not specified, no development standard applies.

2(f) Critical Habitat:

The subject land is not identified as including or comprising critical habitat as prescribed in the Threatened Species Conservation Act 1995 or (subject to section 5c) Part 7A of the Fisheries Management Act 1994.

2(g) Conservation Area:

The subject land is not within a conservation area identified within the TLEP 2000.

2(h) Item of Environmental Heritage:

The subject land does not contain nor constitute an item of environmental heritage as listed in Schedule 2 of the TLEP 2000.

2(i) Clauses under Tweed Local Environmental Plan 2000

Clause 52 (Existing & Future Dam Areas)

(1) Objective

- to apply special provisions relating principally to environmental protection within particular areas shown on the zone map.

(2) In relation to land shown on the zone map in the manner indicated in Column 1 of the following Table, the provisions specified opposite in Column 2 apply.

Table

Column 1 Shown on the zone map by:	Column 2 Applicable provisions
#	A person must not carry out any development (except for purposes authorised under the *Forestry Act 1916* and purposes ordinarily incidental or ancillary to such purposes) on the land that will substantially change the topographic features or landscape or the natural state of the land, except with development consent.

4 Coastal Protection:

The Council has not been notified by the Department of Public Works that the land is affected by the operation of sections 38 or 39 of the Coastal Protection Act, 1979.

5 Mine Subsidence:

The subject land is not within an area proclaimed to be a Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6 Road Widening/Road Realignment:

The subject land is not affected by any road widening or realignment proposal under either Division 2 or Part 3 of the Roads Act, 1993, any environmental planning instrument or any resolution of the Council.

7(i) Land Slip:

The council has not adopted a policy to restrict development of the subject land because of the likelihood of land slip. Geotechnical investigations may be required prior to development of some sites, depending upon the characteristics of the site and the nature of development proposed.

7(ii) Bushfire:

The Council has adopted a policy to restrict development of the subject land because of the likelihood of bushfire hazard (see Item 11 below).

7(iii) Tidal Inundation:

Council has no records that indicate that the land is affected by tidal inundation. Accordingly, the Council has not adopted a policy to restrict development of the land in respect of tidal inundation.

7(iv) Subsidence:

Council records do not indicate that the land is affected by subsidence. Accordingly, the Council has not adopted a policy to restrict development of the land in respect to subsidence.

7(v) Acid Sulfate Soils:

The subject land is not identified as being affected by acid sulfate soils on Council's "Acid Sulfate Soil Planning Map".

7(vi) Any Other Risk:

Council has adopted a policy to restrict development of the subject land due to the following other identified risk: -

- ***Cattle Tick Dip Sites:***
  Council records do not indicate that the land is or has been used as a Cattle Tick Dip Site. Accordingly, no policy has been adopted to restrict development of the land in respect to cattle tick dip sites.

- ***Contamination:***
  Council has not by resolution, adopted a policy which may restrict development of the subject land in respect of potential contamination of that land.
  Due to the historical nature of land uses in the Tweed Shire, there is a possibility that land previously used for such purposes as agriculture, industrial, residential, commercial or similar uses would contain contamination. Enquiries should be made at the Council for any information held in their files and enquiries should also be made with all other relevant authorities. Tweed Shire Council has not yet prepared any detailed information as to whether this land is contaminated land.

7A. Flood related development controls information

(1) Council records indicate that the land is not affected by a 1:100 year flood event and therefore the requirements of Development Control Plan Section A3 do not apply in this instance.

Council has adopted the Tweed Valley Floodplain Risk Management Study (and Draft Plan) 2005 - Part 2 Planning Controls for High Flow Areas dated August 2006. The subject land is not affected by this Policy.

(2) The subject land is not affected by any flooding under Council's Development Control Plan A3 – Development of Flood Liable Land.

8 Land Reserved for Acquisition:

The subject land is not identified as being subject to acquisition by a public authority (as referred to in section 27 of the EP&A Act 1979) under the provisions of any environmental planning instrument deemed or draft environmental planning instrument.

9 Contributions Plans:

As at the date of this certificate, the following contributions plan(s) apply (or may apply depending upon proposed future development) to the subject land:

Section 94 Plan No 4 - Tweed Road Contribution Plan
Section 94 Plan No 5 - Open Space Contributions
Section 94 Plan No 6 - Street Tree Planting in Residential Areas
Section 94 Plan No 11 - Tweed Shire Library Facilities
Section 94 Plan No 12 - Bus Shelters
Section 94 Plan No 13 - Eviron Cemetery
Section 94 Plan No 15 - Developer Contributions for Community Facilities
Section 94 Plan No 16 - Emergency Facilities (Surf Lifesaving)
Section 94 Plan No 18 - Council Administration Offices and Technical Support Facilities
Section 94 Plan No 22 - Cycleways
Section 94 Plan No 26 - Shirewide/Regional Open Space

10 Matters arising under the Contaminated Land Management Act, 1997:

10(a) Investigation Area or Remediation Site:

As at the date of this certificate Council is not aware/has not been notified that the subject land is within land declared to be an investigation area or remediation site under Part 3 of the CLM Act 1997.

10(b) Investigation or Remediation Order:

As at the date of this certificate Council is not aware/has not been notified that the subject land is subject to an investigation order or a remediation order within the meaning of the CLM Act 1997.

10(c) Voluntary Investigation or Remediation Proposal:

As at the date of this certificate Council is not aware/has not been notified that the subject land is the subject of a voluntary investigation or remediation proposal that is subject of the Environment Protection Authority's agreement under section 19 or 26 of the CLM Act 1997.

10(d) Site Audit Statement:

Council is not aware that the subject land is subject of a site audit within the meaning of Part 4 of the CLM Act 1997. Council has not been notified/provided with a copy of any site audit statement pertaining to the subject land.

11 Bush Fire Prone Land

The subject land is identified as bush fire prone land in accordance with the Bush Fire Prone Land map certified in accordance with Section 146(2) of the Environmental Planning and Assessment Act, 1979, as amended.

12. Property Vegetation Plans

The subject land is not affected by a Property Vegetation Plan under the Native Vegetation Act 2003.

13. Orders under Trees (Disputes between Neighbours) Act 2006

Council has not been notified of any Order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14. Council Resolutions/Building Heights

The land is affected by a height limitation of 3 storeys under Tweed Local Environmental Plan 2000.

SPECIAL NOTATIONS

The land is identified as Other Rural Land (Farmland Protection Project) on the map referred to in Section 117(2) Direction No. 14 dated 30 September 2005.

149(5) Information

Development Approval/s

No development consents have been issued within the last five (5) years.

Draft Environmental Planning Instruments

Council has resolved to prepare Draft Local Environmental Plan Amendment No. 74 (Restoration of Lost Dwelling Entitlement) relating to the subject land.

Council has resolved to prepare Draft Local Environmental Plan Amendment No. 80 (Clause 58 in Schedule 2) relating to the subject land.

Council has resolved to prepare Draft Local Environmental Plan Amendment No 42 - Rural Settlement Strategy

Tree Preservation Order

The subject land is not affected by Council's Tree Preservation Order.

MIKE RAYNER
GENERAL MANAGER

Per .....

TWEED SHIRE COUNCIL

PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Applicant: Cherie O'Sullivan
C/-Cardno (Qld) Pty Ltd
PO Box 388
TOOWONG QLD 4066

Certificate No: 149C08/1783
Date of Issue: 2/06/2008
Receipt No: 362524
Fee Paid: $120.00

Your Reference: 3500-53

Property Description: Lot 34 DP 755714, No. 2956 Kyogle Road Kunghur

CIVIC AND CULTURAL CENTRE, MURWILLUMBAH

PO BOX 816, MURWILLUMBAH NSW 2484
TELEPHONE (02) 6670 2400 FAX (02) 6670 2429

PLEASE ADDRESS ALL COMMUNICATIONS TO THE GENERAL MANAGER

ABN 90 178 732 496
www.tweed.nsw.gov.au

TABLE OF CONTENTS

1(1)(a) *As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:* 4

1(1)(b) *As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:* 4

1(1)(c) *As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:* 4

1(2)(a) *As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to planningNSW:* 4

1(2)(b) *As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to planningNSW:* 4

1(3)(a) *As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to planningNSW:* 5

1(3)(b) *As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to planningNSW:* 9

2(a-d) *Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:* 9

2(e) *Minimum Standards for the Erection of a Dwelling-House:* 10

2(f) *Critical Habitat:* 10

2(g) *Conservation Area:* 10

2(h) *Item of Environmental Heritage:* 10

2(i) *Clauses under Tweed Local Environmental Plan 2000* 11

4 *Coastal Protection:* 11

5 *Mine Subsidence:* 11

6 *Road Widening/Road Realignment:* 11

7(i) *Land Slip:* 11

7(ii) *Bushfire:* 11

7(iii) *Tidal Inundation:* 11

7(iv) *Subsidence:* 12

7(v) *Acid Sulfate Soils:* 12

7(vi) *Any Other Risk:* 12

7A. *Flood related development controls information* 12

8 *Land Reserved for Acquisition:* 12

9 *Contributions Plans:* 12

10 *Matters arising under the Contaminated Land Management Act, 1997:* 13

10(a) *Investigation Area or Remediation Site:* 13

10(b) *Investigation or Remediation Order:* 13

10(c) *Voluntary Investigation or Remediation Proposal:* 13

10(d) *Site Audit Statement:* 13

11 *Bush Fire Prone Land* 13

12. *Property Vegetation Plans* 13

13. Orders under Trees (Disputes between Neighbours) Act 2006 14
14. Council Resolutions/Building Heights 14
SPECIAL NOTATIONS 14
149(5) Information 15

1(1)(a) As at the date of this certificate, the following local environmental planning instrument(s) apply to the subject land:

Tweed Local Environmental Plan 2000 (TLEP2000)

1(1)(b) As at the date of this certificate, the following draft local environmental plan(s) that have been placed on public exhibition under section 66(1)(b) of the Act apply to the subject land:

Draft Local Environmental Plan Amendment No 20 - Kings Forest / Shirewide

Draft Local Environmental Plan Amendment No 21 - Tweed Vegetation Management Plan

Draft Local Environmental Plan Amendment No 70 - DCP 40 Exempt & Complying Development - Date Change

Draft Local Environmental Plan Amendment No 76 - Tweed Shire Community Based Heritage Study

1(1)(c) As at the date of this certificate, the following development control plan(s) that have been prepared under section 72 of the Act apply to the subject land:

A 1 - Residential and Tourist Code

A 2 - Site Access and Parking Code

A 3 - Development of Flood Liable Land

A 4 - Advertising Signs Code

A 5 - Subdivision Manual

A 6 - Biting Midge and Mosquito Control

A 7 - Child Care Centres

A 8 - Brothels Policy

A 9 - Energy Smart Homes Policy

A10 - Exempt and Complying Development

A11 - Public Notification of Development Proposals

A13 - Socio - Economic Impact Assessment

1(2)(a) As at the date of this certificate, the following regional environmental plan(s) applies to the subject land. Any enquiries on the REPs should be directed to the Department of Planning:

North Coast Regional Environmental Plan 1988.

1(2)(b) As at the date of this certificate, the following draft regional environmental plan(s) apply to the subject land. Any enquiries on the draft REPs should be directed to the Department of Planning:

There are no draft regional environmental plans currently applying to the subject land.

1(3)(a) As at the date of this certificate, the following State environmental planning policies (SEPPs) apply to the subject land. Any enquiries on the SEPPs should be directed to the Department of Planning:

State Environmental Planning Policy No. 1 - Development Standards - Gazetted 17 October 1980

The Policy sets out the general principle that a development standard contained within an environmental planning instrument may be varied where strict compliance can be shown to be unreasonable or varied where strict compliance can be shown to be unreasonable or would tend to hinder the attainment of the objects specified in the Environmental Planning and Assessment Act, 1979.

State Environmental Planning Policy No. 4 - Development Without Consent and Miscellaneous Exempt & Complying Development - Gazetted 4 December 1981

This Policy allows development for the purpose of bushfire hazard reduction to be carried out on land to which the SEPP No. 4 applies without consent if the development is consistent with a plan of operations prepared under the Bush Fires Act 1949 and does not include clearing of wetlands identified in SEPP No. 14.

State Environmental Planning Policy No. 6 - Number of Storeys in a Building - Gazetted 10 December 1982

To provide a standard determination regarding the height of a building where the height is controlled by reference to the number of storeys.

State Environmental Planning Policy No. 15 - Rural Landsharing Communities - Gazetted 9 April 1998

State Environmental Planning Policy No. 15 - Rural Landsharing Communities aims to encourage and facilitate development of rural landsharing communities to collectively manage land in an environmentally sensitive and sustainable manner and to provide for low cost housing. The Policy establishes criteria for rural landsharing community development, matters for Council consideration, environmental considerations, site analysis and management requirements for development proposed under the Policy.

State Environmental Planning Policy No. 21 - Caravan Parks - Gazetted 24 April 1992

To regulate the use and development of caravan parks, and in certain instances, to enable their subdivision for lease purposes.

State Environmental Planning Policy No. 22 - Shops and Commercial Premises - Gazetted 9 January 1987

The policy allows with consent of council, a change of use from a shop or commercial premises or alternatively a commercial premises to a shop or another kind of commercial premises, where the new use is prohibited under an environmental planning instrument.

State Environmental Planning Policy No. 30 - Intensive Agriculture - Gazetted 8 December 1989

To ensure that all feedlots with a capacity of greater than 400 head are dealt with in a consistent manner, the Policy provides all councils with a consent role. Where development consent is required, proposals for cattle feedlots in excess of 400 head are designated development and require the provision of an environmental impact statement to accompany a development application.

State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land) - Gazetted 15 November 1991

To provide for redevelopment of urban land which is no longer required for the purpose for which it is currently zoned or used. Its purpose is to ensure that sites which have the potential to contribute to urban consolidation are made available for multi-unit housing efficiently and without

delay.

State Environmental Planning Policy No. 33 - Hazardous and Offensive Development - Gazetted 13 March 1992

To provide a mechanism for the consideration of applications for hazardous and offensive industries, by ensuring that the consent authority has sufficient information to assess any such applications, to impose conditions to reduce or minimise any adverse impacts and to require advertising of applications for such developments.

State Environmental Planning Policy No. 36 - Manufactured Homes Estate - Gazetted 13 July 1993

This policy:

(i) defines where Manufactured Homes Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates;

(ii) enables with development consent, the subdivision of MHE provided such subdivision complies with the provision of the Local Government (Manufactured Homes Estates) Regulation 1993.

State Environmental Planning Policy No. 44 - Koala Habitat Protection - Gazetted 6 January 1995

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas, to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline by:

(a) requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat; and

(b) encouraging the identification of areas of core koala habitat; and

(c) encouraging the inclusion of areas of core koala habitat in environment protection zones.

State Environmental Planning Policy No. 50 - Canal Estate Development - Gazetted 30 October 1997

This Policy provides that where the Policy applies a person shall not carry out canal estate development as defined in the Policy.

State Environmental Planning Policy No. 55 - Remediation of Land - Gazetted 28 August 1998

This Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. The policy applies to the whole state, to ensure that remediation is permissible development and is always carried out to a high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

State Environmental Planning Policy No. 62 - Sustainable Aquaculture - Gazetted 23 August 2000

To encourage the sustainable expansion of the aquaculture industry in NSW. The SEPP implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture developments as designated development only where there are high potential environmental risks.

State Environmental Planning Policy No. 64 - Advertising and Signage - Gazetted 16 March 2001

This Policy provides new controls that will improve the quality of outdoor advertising and the environment.

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development - Gazetted 26 July 2002

This policy aims to improve the design quality of residential flat development in New South Wales. This policy applies to the whole of the state in respect of the erection of new residential flat buildings, the substantial redevelopment or refurbishment of an existing residential flat building, or conversion of an existing building to a residential flat building.

A residential flat building for the purpose of the policy is defined as a building of three or more storeys (not including levels that protrude less than 1.2 m above ground level that are devoted to car parking and storage) and four or more self-contained dwelling units. It does not apply to buildings classified as Class 1a or 1b under the Building Code of Australia.

The policy provides design quality principles that must be satisfied, and the implementation of design review panels that provide independent advice to consent authorities and applicants on residential flat development proposals, development applications, draft Local Environmental Plans, Development Control Plans, Master Plans and Planning Policy documents.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 - Gazetted 31 March 2004

State Environmental Planning Policy (Seniors Living) 2004 aims to increase availability and to provide a wider choice of residential accommodation for older people or people with a disability. The Policy establishes matters for consideration, development standards and design requirements for development proposed under the Policy.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - Gazetted 25 June 2004

State Environmental Planning Policy Building Sustainability Index: BASIX) 2004 - Gazetted 25 June 2004 aims: -

(1) Regulations under the Act have established a scheme to encourage sustainable residential development ("the BASIX scheme") under which:

(a) an application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out, and

(b) the carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate will be subject to a condition requiring such commitments to be fulfilled.

(2) The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.

(3) This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from o modify any obligations arising under the BASIX scheme.

State Environmental Planning Policy (Major Projects) 2005 - Gazetted 25 May 2005

State Environmental Planning Policy (Major Projects) 2005 aims: -

(a) to identify development to which the development assessment and approval process under Part 3A of the Act applies,

(b) to identify any such development that is a critical infrastructure project for the purposes of Part 3A of the Act,

(c) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State,

(d) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes,

(e) to rationalise and clarify the provisions making the Minister the approval authority for

development and sites of State significance, and to keep those provisions under review so that the approval process is devolved to councils when State planning objectives have been achieved.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 – Gazetted 16 February 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 aims to provide for the proper management and development of mining, petroleum production and extractive material resources; to facilitate the orderly use and development of areas where the resources are located; and, to establish appropriate planning controls to encourage sustainable management of these resources.

State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007 – Gazetted 28 September 2007

The aims of this Policy are as follows:

(a) to ensure that suitable provision is made for ensuring the safety of persons using temporary structures or places of public entertainment,

(b) to encourage the protection of the environment at the location, and in the vicinity, of places of public entertainment or temporary structures by (among other things) managing noise, parking and traffic impacts and ensuring heritage protection,

(c) to specify the circumstances in which the erection and use of temporary structures are complying development or exempt development,

(d) to promote opportunities for buildings (including temporary structures) to be used as places of public entertainment by specifying the circumstances in which that use is complying development or exempt development,

(e) to promote the creation of jobs in the public entertainment industry,

(f) to increase access for members of the public to public entertainment.

State Environmental Planning Policy (Infrastructure) 2007 - Gazetted 21 December 2007

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and

(b) providing greater flexibility in the location of infrastructure and service facilities, and

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

State Environmental Planning Policy (Rural Lands) 2008 - Gazetted 9 May 2008

The aims of this Policy are as follows:

(a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,

(b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,

(c) to implement measures designed to reduce land use conflicts,

(d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental

considerations,

(e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.

1(3)(b) As at the date of this certificate, the following draft State environmental planning policy(s) that have been publicised as referred to in section 39(2) of the Act, apply to the subject land. Any enquiries on the draft SEPPs should be directed to the Department of Planning:

There are no such draft State environmental planning policies applying to the subject land.

2(a-d) Under the provisions of the planning instruments listed in Items 1(1)(a) above, the subject land is within the following zone(s) and is affected by the following landuse table:

Zone 1 (a) Rural

Zone objectives

Primary objectives

* to enable the ecologically sustainable development of land that is suitable primarily for agricultural or natural resource utilisation purposes and associated development.
* to protect rural character and amenity.

Secondary objectives

* to enable other types of development that rely on the rural or natural values of the land such as agri- and eco-tourism.
* to provide for development that is not suitable in or near urban areas.
* to prevent the unnecessary fragmentation or development of land which may be needed for long-term urban expansion.
* to provide non-urban breaks between settlements to give a physical and community identity to each settlement.

Development within the zone

In Zone 1 (a) development for the purpose of the following is:

Item 1 allowed without consent:

* agriculture
* environmental facilities
* forestry

Item 2 allowed only with consent:

* bed and breakfast
* dwelling houses if each is on an allotment of at least 40 hectares or on an allotment referred to in clause 57
* multi-dwelling housing if:
  (a) not more than two dwellings are involved, and
  (b) they are attached, and
  (c) they are on an allotment of at least 40 hectares or an allotment referred to in clause 57
* any other buildings, works, places or land uses not included in Item 1, 3 or 4

Item 3 allowed only with consent and must satisfy the provisions of clause 8 (2)

* boat repair and servicing facilities
* car parks
* child care centres
* educational establishments
* Heliports
* Hotels
* Institutions
* light industries
* Markets
* offensive or hazardous industries
* places of public worship
* service stations
* Transport terminals (other than airline terminals)
* boating facilities
* caravan parks (other than camping grounds) if connected to a reticulated sewerage system
* clubs
* helipads
* hospitals
* housing for older people or people with disabilities
* junkyards
* marinas
* motels
* places of assembly
* public buildings
* storage units

Item 4 prohibited:

* airline terminals
* boat showrooms
* bulky goods retailing
* caravan parks (other than camping grounds) if not connected to a reticulated sewerage system
* display homes
* industries (other than home industries, light industries, offensive or hazardous industries, rural industries or industries directly associated with or dependent on extractive industries)
* manufactured home estates
* multi-dwelling housing not included in Item 2
* restricted premises
* shops (other than general stores)
* boarding-houses
* brothels
* car repair stations
* commercial premises
* dwelling houses not included in Item 2
* integrated housing
* motor showrooms
* professional consulting rooms
* roadside stalls if requiring direct access to an RTA classified road

2(e) Minimum Standards for the Erection of a Dwelling-House:

See land use table listed in Items 2(a-d) above. If minimum standard not specified, no development standard applies.

2(f) Critical Habitat:

The subject land is not identified as including or comprising critical habitat as prescribed in the Threatened Species Conservation Act 1995 or (subject to section 5c) Part 7A of the Fisheries Management Act 1994.

2(g) Conservation Area:

The subject land is not within a conservation area identified within the TLEP 2000.

2(h) Item of Environmental Heritage:

The subject land does not contain nor constitute an item of environmental heritage as listed in Schedule 2 of the TLEP 2000.

2(i) Clauses under Tweed Local Environmental Plan 2000

Clause 52 (Existing & Future Dam Areas)

(1) Objective

- to apply special provisions relating principally to environmental protection within particular areas shown on the zone map.

(2) In relation to land shown on the zone map in the manner indicated in Column 1 of the following Table, the provisions specified opposite in Column 2 apply.

Table

Column 1 Shown on the zone map by:	Column 2 Applicable provisions
#	A person must not carry out any development (except for purposes authorised under the *Forestry Act 1916* and purposes ordinarily incidental or ancillary to such purposes) on the land that will substantially change the topographic features or landscape or the natural state of the land, except with development consent.

4 Coastal Protection:

The Council has not been notified by the Department of Public Works that the land is affected by the operation of sections 38 or 39 of the Coastal Protection Act, 1979.

5 Mine Subsidence:

The subject land is not within an area proclaimed to be a Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6 Road Widening/Road Realignment:

The subject land is not affected by any road widening or realignment proposal under either Division 2 or Part 3 of the Roads Act, 1993, any environmental planning instrument or any resolution of the Council.

7(i) Land Slip:

The council has not adopted a policy to restrict development of the subject land because of the likelihood of land slip. Geotechnical investigations may be required prior to development of some sites, depending upon the characteristics of the site and the nature of development proposed.

7(ii) Bushfire:

The Council has adopted a policy to restrict development of the subject land because of the likelihood of bushfire hazard (see Item 11 below).

7(iii) Tidal Inundation:

Council has no records that indicate that the land is affected by tidal inundation. Accordingly, the Council has not adopted a policy to restrict development of the land in respect of tidal inundation.

7(iv) Subsidence:

Council records do not indicate that the land is affected by subsidence. Accordingly, the Council has not adopted a policy to restrict development of the land in respect to subsidence.

7(v) Acid Sulfate Soils:

The subject land is not identified as being affected by acid sulfate soils on Council's "Acid Sulfate Soil Planning Map".

7(vi) Any Other Risk:

Council has adopted a policy to restrict development of the subject land due to the following other identified risk: -

- ***Cattle Tick Dip Sites:***
  Council records do not indicate that the land is or has been used as a Cattle Tick Dip Site. Accordingly, no policy has been adopted to restrict development of the land in respect to cattle tick dip sites.

- ***Contamination:***
  Council has not by resolution, adopted a policy which may restrict development of the subject land in respect of potential contamination of that land.
  Due to the historical nature of land uses in the Tweed Shire, there is a possibility that land previously used for such purposes as agriculture, industrial, residential, commercial or similar uses would contain contamination. Enquiries should be made at the Council for any information held in their files and enquiries should also be made with all other relevant authorities. Tweed Shire Council has not yet prepared any detailed information as to whether this land is contaminated land.

7A. Flood related development controls information

(1) Council records indicate that the land is not affected by a 1:100 year flood event and therefore the requirements of Development Control Plan Section A3 do not apply in this instance.

Council has adopted the Tweed Valley Floodplain Risk Management Study (and Draft Plan) 2005 - Part 2 Planning Controls for High Flow Areas dated August 2006. The subject land is not affected by this Policy.

(2) The subject land is not affected by any flooding under Council's Development Control Plan A3 – Development of Flood Liable Land.

8 Land Reserved for Acquisition:

The subject land is not identified as being subject to acquisition by a public authority (as referred to in section 27 of the EP&A Act 1979) under the provisions of any environmental planning instrument deemed or draft environmental planning instrument.

9 Contributions Plans:

As at the date of this certificate, the following contributions plan(s) apply (or may apply depending upon proposed future development) to the subject land:

Section 94 Plan No 4 - Tweed Road Contribution Plan
Section 94 Plan No 5 - Open Space Contributions
Section 94 Plan No 6 - Street Tree Planting in Residential Areas
Section 94 Plan No 11 - Tweed Shire Library Facilities
Section 94 Plan No 12 - Bus Shelters
Section 94 Plan No 13 - Eviron Cemetery
Section 94 Plan No 15 - Developer Contributions for Community Facilities
Section 94 Plan No 16 - Emergency Facilities (Surf Lifesaving)
Section 94 Plan No 18 - Council Administration Offices and Technical Support Facilities
Section 94 Plan No 22 - Cycleways
Section 94 Plan No 26 - Shirewide/Regional Open Space

10 Matters arising under the Contaminated Land Management Act, 1997:

10(a) Investigation Area or Remediation Site:

As at the date of this certificate Council is not aware/has not been notified that the subject land is within land declared to be an investigation area or remediation site under Part 3 of the CLM Act 1997.

10(b) Investigation or Remediation Order:

As at the date of this certificate Council is not aware/has not been notified that the subject land is subject to an investigation order or a remediation order within the meaning of the CLM Act 1997.

10(c) Voluntary Investigation or Remediation Proposal:

As at the date of this certificate Council is not aware/has not been notified that the subject land is the subject of a voluntary investigation or remediation proposal that is subject of the Environment Protection Authority's agreement under section 19 or 26 of the CLM Act 1997.

10(d) Site Audit Statement:

Council is not aware that the subject land is subject of a site audit within the meaning of Part 4 of the CLM Act 1997. Council has not been notified/provided with a copy of any site audit statement pertaining to the subject land.

11 Bush Fire Prone Land

The subject land is identified as bush fire prone land in accordance with the Bush Fire Prone Land map certified in accordance with Section 146(2) of the Environmental Planning and Assessment Act, 1979, as amended.

12. Property Vegetation Plans

The subject land is not affected by a Property Vegetation Plan under the Native Vegetation Act 2003.

13. Orders under Trees (Disputes between Neighbours) Act 2006

Council has not been notified of any Order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14. Council Resolutions/Building Heights

The land is affected by a height limitation of 3 storeys under Tweed Local Environmental Plan 2000.

SPECIAL NOTATIONS

The land is identified as Other Rural Land (Farmland Protection Project) on the map referred to in Section 117(2) Direction No. 14 dated 30 September 2005.

149(5) Information

Development Approval/s

No development consents have been issued within the last five (5) years.

Draft Environmental Planning Instruments

Council has resolved to prepare Draft Local Environmental Plan Amendment No. 74 (Restoration of Lost Dwelling Entitlement) relating to the subject land.

Council has resolved to prepare Draft Local Environmental Plan Amendment No. 80 (Clause 58 in Schedule 2) relating to the subject land.

Council has resolved to prepare Draft Local Environmental Plan Amendment No 42 - Rural Settlement Strategy

Tree Preservation Order

The subject land is not affected by Council's Tree Preservation Order.

MIKE RAYNER
GENERAL MANAGER

Per .....

APPENDIX C

Contaminated Land Record for Tweed Shire

Department of Environment and Climate Change

Management overview
Site auditor scheme
Guidelines under the CLM Act
Record of EPA notices
Engaging a consultant
Information on gasworks sites
Regulatory Impact Statement - Proposed Underground Petroleum Storage Systems Regulation
Frequently asked questions
More information about land

Search results

Your search for: LGA: Tweed Shire Council

Matched 8 notices relating to 3 sites.

SearchAgain RefineSearch

Suburb	Address	Site Name	Notices related to this site
Byangum	Old Lismore Road	Dip 5022 Oakbank	2 former
Terranora	Federation Drive	Dip 4766 Lamberts	3 former
Tweed Heads	60 Pacific Highway Highway	Tweed Heads Mobil Service Station	2 current and 1 former

Page 1 of 1

Print-friendly version

9 June 2008

Company goes into administration

by James Perkins

17th Apr 2010 2:05 AM

PETER van Lieshout is not happy about the extra gardening he will have to do should Forest Enterprise Australia (FEA) Plantations stop paying its bills.

The Tasmanian company has gone into voluntary liquidation and should it not fulfil its contractual obligations, Mr van Lieshout will regain control of 300 hectares of land at Kunghur he leased six years ago.

The land is home to about 240,000 hardwood eucalypts worth about $10.5million which still have another 14 years left to grow until they are ready for harvest.

“To undertake maintenance of the area is a very expensive exercise,” Mr van Lieshout said. “I can’t really expect to see any money in the bank for 10 to 12 years; I would have preferred this didn’t happen.

“I am not overjoyed about it.”

The debacle has put a number of jobs in limbo.

FEA Plantations has a permanent staff of 20 at Lismore plus 40 contractors and about 70 casuals. Plans for 200 new jobs at a proposed Kyogle processing plant are also in doubt.

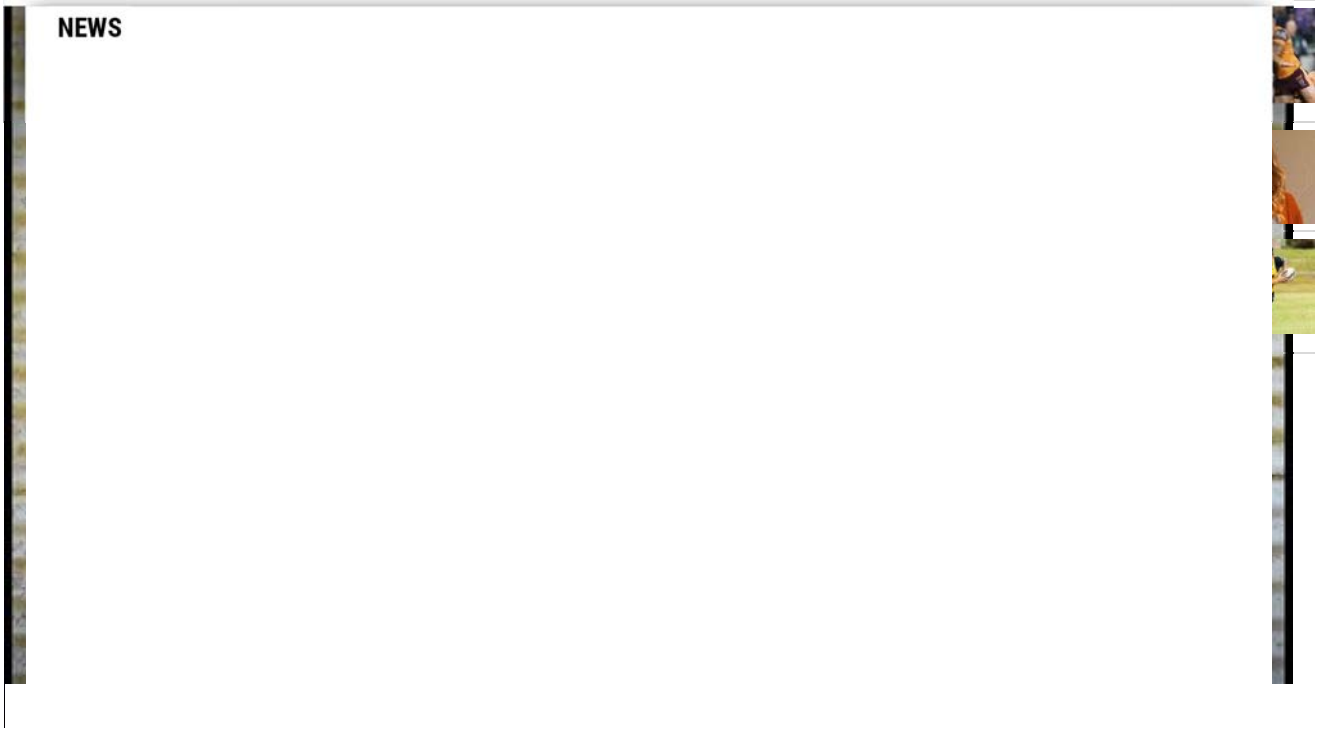
Mr van Lieshout, husband of Tweed Shire Councillor Joan van Lieshout, said most Tweed people involved in the industry were contractors and would still have work in the long term.

situation who may start a co-operative.

Tweed Daily News

© The Tweed Newspaper Co Pty Ltd 2019. Unauthorised reproduction is prohibited under the laws of Australia and by international treaty.

Broncos wary of loose Moose
an hour ago



'Living in a nightmare': failed community leaves families broke

by arylko

12th Aug 2017 8:27 AM | Updated: 13th Aug 2017 11:35 AM

74 4

A COLLAPSED shared-living community at Mt Burrell serves as a warning to potential investors of alternative housing schemes.

ADVERTISING

With its court-ordered dismantling this week, the Bhula Bhula Intentional Community has left in its wake at least 20 financially ruined investors and a litany of complex legal clashes.

The NSW Land and Environmental Court ordered the community to "cease habitation", remove its makeshift homes, caravans, spiritual yurts and unauthorised roadworks by August 7.

More Stories

VIDEO: Families' dreams destroyed in failed 'alternative community' >

VIDEO: New promises at Mt Warning Eco Village >

Unauthorised works, which were demolished after legal action by the Tweed Shire Council.

Picture: Contributed /Tweed Shire Council

First marketed in 2014 by the Truthology movement, the commune at a 250ha former farm at 3222 Kyogle Rd was purchased by Wollumbin Horizons Pty Ltd for $1.175 million in 2015.

It promised three- to five-acres of private use land from $120,000 to $180,000 for each unit holder in the village which offered "living harmoniously", "co-operative power" an "amazing Community Centre" and "much more".

However no council development applications were lodged.

Tweed Shire Council director of Planning Vince Connell confirmed "multiple, recurring complaints from several adjoining and surrounding owners all related to unauthorised works" were received from mid-2015 onwards.

In July this year, ASIC records show Wollumbin Horizons had been placed into voluntary administration.

Now former villagers are desperate to get their money back.

TURNING AWAY: Sarah Kirkwood at her dream family home site in Mt Burrell, before the collapse of the Bhula Bhula Intentional Community.

Picture: Contributed

A Byron Bay woman, who does not want to be named, said she lost $320,000 after her non-DA approved home at Bhula Bhula had to be knocked down.

She said the community was plagued by infighting, bullying and squabbling factions, some of whom incorrectly believed a DA could be granted retrospectively.

"We all took a risk and thought we could pull it off," she said.

"I am the one who lost the most," she said.

Investors were lured with the concept of a self-sustainable community, with permaculture gardens and shared labour.

Former investor Neil Pascoe and his partner poured $80,000 into the project in 2014 when it was marketed at an "anti-government" Freedom Summit at Byron Bay.

"Everyone wanted to get together and make something amazing, to grow food, and to try to create an oasis," Mr Pascoe said.

"We wanted to live in self-sustainable container ships - earth ships - and beautiful log cabins.

"Now people are on the verge of losing their life savings, living in a nightmare."

Suffolk Park resident Emanuele Agus and his wife claimed to have invested $120,000 into Bhula Bhula after they heard about an "off-the- grid community" from a friend.

"Things started (to) go wrong when people started asking too many questions about the increasing amount of money missing, and the lack of financial transparency."

According to emails seen by the Tweed Daily News, a man described by some as the co-founder of the community, Mark Darwin, promoted units for $180,000 each in the 'intentional community' via email in 2014, under his "Truthology" and Freedom Summits movements.

Prominent Bhula Bhula Intentional Community member, Mark Darwin.

Picture: Contributed / Facebook

But in a statement to the TDN, Mr Darwin denied any leadership over the Bhula Bhula community, instead saying his involvement was limited to that of an interested "community member".

Mr Darwin said documents signed by members when joining the trust clearly stated there was no DA given or implied.

The collapsed community leaves behind a trail of abusive online blogs, counter legal claims and complaints to ASIC, the Legal Services Commissioner and local police, who have visited the site at least once.

A Federal Court decision on June 29 ruled former investor Gillian Linda Norman was entitled to her investment of $120,000 minus $4,160 in costs for the clean up her plot on the land.

PICTURESQUE: Drone aerial view of the Mt Warning Eco Village at Mt Burrell, tucked away behind the Mt Warning General Story. INSET: Entry gate.

Picture: Scott Powick

Meanwhile, next door to the defunct Bhula Bhula community, a separate 3,500 acre land-share project has sprouted.

Mr Darwin said the Mt Warning Eco Village - owned by several entities - now has a sale contract to buy Bhula Bhula land for more than $1million.

"This means that any disgruntled community members can leave with their funds paid back in full, and that all creditors including council will also be paid in full," he said.

> "It's been a very challenging time, but one that has brought about many lessons for improvement."

Villagers bought into the scheme through units under a trustee, led by a director and steering committee.

Bhula Bhula had five directors, including unit holder Adrian Brennock, who did not respond to phone calls.

A viewing platform at the new Mt Warning Eco Village.

Picture: Contributed

What do you think? editorial@tweeddaily news.com.au

Timeline

2014: 'Bhula Bhula' meaning harmony, is marketed on Facebook, through Truthology and Freedom Summits movements.

2015: 250ha rural block at 3222 Kyogle Rd, Mt Burrell, is bought for $1.175 as land-share project.

2015 - 2016: Some unit holders begin developing

Complaints to Tweed Shire Council pile up

2017: Land and Environment court orders community to "cease habitation".

74 4

Northern Star

© Northern Star Ltd 2019. Unauthorised reproduction is prohibited under the laws of Australia and by international treaty.